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AMERICAN DEMOCRACY IN THE ORIENT.

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AMONG the many articles which have appeared during the past year on the American régime in the Philippines, two call for special consideration, one because of the prestige of its author's name, the other by virtue of its intrinsic value: the former appeared in the "Contemporary Review" for September, 1904, under the title, "The Americans in the Philippines," and bears the signature of Mr. John Foreman: the latter, entitled "The United States in the Philippines," by Mr. Alleyne Ireland, came out two months later in "The Atlantic Monthly."

I.

Mr. Foreman is not unfamiliar with life in the Philippines, having been a resident there in Spanish days for a considerable period. He is the author of a book on the Philippines which contains a larger amount of miscellaneous information on the subject than any other work in the English language. He was invited to give evidence before the Peace Commission in Paris, and courteously complied with the request. But, whatever may have been his reputation hitherto for trustworthy and dispassionate statement, his production in the "Contemporary Review" strips

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him of the right to unquestioning credit at the hands of his readers. It is an unsparing attack on the whole American régime in the Philippines, contemptuous in tone, lurid with superlatives. So overloaded is it with falsity and extravagance that it will be possible to examine only comparatively few of its more glaring errors, which must be accepted as samples of the whole. Throughout, it is vitiated by misstatements of fact, rash generalizations and exaggeration, added to which are numerous indications that the author has fallen a victim to local gossip. Mr. Foreman is an open-eyed observer, but the production under consideration shows that his power of collection excels his power of selection: he does not seem to have learned that hearsay is not necessarily fact.

Let us examine some representative inaccuracies. In the earliest, he is his own accuser and out of his own mouth is judged and condemned. In itself the error is comparatively unimportant, but it occurs in his second paragraph and comes under the head of what he calls "a reiteration of some historical facts." He says (p. 392) that, in August, 1898, "every belligerent on the Spanish side in the Luzon provinces (and these belligerents numbered about 11,000) was a prisoner of the rebels." In his book (p. 620), he states that on August 13th, 1898, the date of the capitulation of Manila, 8,000 Spanish soldiers were prisoners in the hands of the revolutionary forces and 2,400 in the hands of the Americans.* The two statements are irreconcilable.

To what period does our writer refer when he says (p. 393): "For several weeks after the defeated army had embarked, and the last vestige of Spanish authority had disappeared from Luzon, Aguinaldo's army still occupied positions around the capital. A provisional Philippine Government was established at Malalos"? The last of the Spanish prisoners, including those captured from the insurgents after the outbreak of the insurrection, were not returned to Spain until the end of 1900. The insurrection broke loose on February 4th, a year earlier. Malalos, made provisional capital of Aguinaldo's government September 15th, 1898, was occupied by the Americans March 31st, 1899. The statement, as Mr. Foreman gives it, is, historically speaking, nonsense.

* He mentions also 2,600 in the hospital in Manila.

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Once more, the writer says (p. 393):

"When the tenor of the Treaty signed in Paris on the 10th of December, 1898, became known in Manila, the news fell like a thunderbolt on the Filipinos. They opened their eyes to the fact that their new masters had come to remain. Their dream of independence forthwith vanished. Within a fortnight hostilities broke out between the ex-rebels of Spanish times (now the Independents) and the American volunteer forces."

The facts are that, though the Filipinos for some months had hopes of independence, from the first they were full of suspicion;* by degrees they learned that America was uncertain what her relation would be to the Islands, for, as Mr. Foreman says, "American authorities were constrained to remain neutral . . . whilst Spanish and American diplomatists in Paris decided the fate of the colony" (p. 393). As early as June 16th, 1898, the Secretary of State had officially declared that Aguinaldo's pretensions could not be countenanced by the United States; and, even if this did not reach the Filipinos formally, its substance came within their cognizance. If there were no fuller evidence to this effect, the fact that preparations for armed resistance were begun long before the treaty was signed is conclusive. This being the case, what a funny idea Mr. Foreman must have of the speed of a thunderbolt. It finds its running mate in his terminology indicative of time. He designates, for example, the period of fifty-five days, the actual time that elapsed between December 10th, the date of the Treaty of Paris, and February 4th, the date of the outbreak of hostilities, as a "fortnight" (p. 393). It is apt to interfere seriously with the function of history if poetic license is let loose in this manner on dates.

Should not a writer of historical facts be better informed than to confuse "capitulation" and "capture"? The latter, not the former, as our author seems to think (p. 393), is what happened to Aguinaldo. In the same paragraph, it is said that "since then every man in arms against American authority has been termed a brigand," whereas the truth is that organized revolt has been universally termed "insurrection" and its promoters "*insurrectos*"; "the formidable bands of highwaymen" (p. 395) always have been and are now called "*ladrones*."

The following is not a part of the historical "prelude," but

* Has our author read the second edition of his book? See pp. 623, 626, 627, 629.

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it comes fittingly under the head of what Mr. Foreman calls "history":

"On the close of the war, a more settled era seemed to dawn. The first military government had been succeeded by the Schurmann [*sic*] Civil Commission, which practically effected nothing, and the second military government was superseded by the Taft Civil Commission" (p. 395).

What an extraordinary jumble! The suppression of the insurrection, for, presumably, that is what our author means by "war," was officially announced by the President July 4th, 1902. The only military government under American rule began nearly four years earlier at the occupation of Manila, on August 13th, 1898, and ceased on the date of the above-mentioned proclamation. The Schurman Commission had no executive and administrative functions, being merely a committee of investigation. Its members were sent by the President:

"To facilitate the most humane, pacific and effective extension of authority throughout these islands, and to secure, with the least possible delay, the benefits of a wise and generous protection of life and property to the inhabitants. . . . The Commissioners will endeavor, without interference with the military authorities of the United States now in control in the Philippines, to ascertain what amelioration in the condition of the inhabitants and what improvements in public order may be practicable."*

These instructions were issued (January 20th, 1899) before the outbreak of hostilities with the *insurrectos,* and the Commission "practically effected" all they were charged to do. They superseded neither the "first" nor any other "military government," and the military governor of the Philippines was a member of the Commission. It might be added that the legislative authority was transferred from military to civil power on September 1st, 1900,† and complete civil government proclaimed with the assumption of executive authority by the Philippine Commission, almost a year later (July 4th, 1901).‡

Indisputable statistics must answer the next extravagance to be quoted. "A constabulary force, several thousand strong, is employed to hunt down these marauders [formidable bands of highwaymen], but being almost entirely composed of Filipinos . . .

* Report of the Philippine Commission (1900), pp. 185, 186.
† Reports of the Philippine Commission (1900–1903), p. 6.
‡ Reports of the Philippine Commission (1900–1903), p. 140.

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they frequently go over in groups to the brigands" (p. 395). From the organization of the Philippines Constabulary, August, 1901, to December, 1901—total enlisted strength, 741 men—there were no desertions.* In 1902, there were 33 desertions out of a force of 193 inspectors and 5,317 men.† In 1903, there were 80 desertions from a force of 330 officers and 6,805 men.‡ I can find no evidence justifying the above quotation.

In answer to an attack on the Board of Health, which must be characterized by the term "scurrilous" (p. 397), it will be sufficient to quote from Mr. Alleyne Ireland, who is a severe critic of American methods in the Philippines:

"No colonial government of which I have any knowledge is better served than that of the Philippine Islands in the matter of health; and the greatest credit is due to Major E. C. Carter, Commissioner of Public Health, and to his subordinates, for the admirable work they have carried out in the face of almost incredible difficulties placed in their way by the ingrained objection of the natives to all sanitary measures. . . . With the means at its disposal, the Public Health Department has done excellent work."

Mr. Foreman maintains (p. 399) that the "pilferings" of the Spanish officials were trifling "compared with the enormous defalcations which we hear of weekly under the present rule." Those who wish to know the extent of the "pilferings" of Spanish days can ascertain them without difficulty. They were such as to preclude the possibility of those "public works for which the Filipino has been clamoring for generations past—for instance, the construction of good country roads and bridges, the dredging of the port of Iloilo and the relaying of half the city and suburban pavements and roadways" (p. 399). The defalcations§ during the period of July 1st, 1902, to November 9th, 1903, amounted to $64,959.08 (the revenue for the same period being $19,916,845.96), and there were nineteen offenders. A lamentable showing, indeed! But Mr. Foreman must be expert in figures, not to say in hearing, to be able to hear "weekly" of these defalcations. The best he could do would be to hear of

* Report (1901), part 2, p. 550.
† Report (1902), part 1, pp. 80 ff.
‡ Report (1903), part 3, pp. 48 ff.
§ Two in Oct., one in Nov., one in Dec. (1902); two in Jan., two in April, one in May, three in June, one in July, two in Sept., one in Oct. (1903); the dates of three Filipino defaulters of small sums reimbursed before sentence are not given in the Report.

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nineteen sixty-ninths of one per week. It would appear as though our writer, when he composed his article, had not seen any of the above figures, although they were easily available; and he was culpably ignorant of the system he was undertaking to criticise, or it would have been impossible for him to make the puerile suggestion that the "defalcations should be made good out of the United States treasury" (p. 399). Guarantee companies, or such bondsmen* as are accepted by the Philippine Government, make good the shortage of those who are bonded, as fiduciary agents of the Government are required to be. In a few cases, the defalcation has slightly exceeded the amount of the bond.

Prompt and unsparing judgment is meted out to offenders, more than 142 years' imprisonment being the aggregate penalties of the nineteen defaulters. The innuendo that the Constabulary is composed largely of embezzlers (pp. 396, 397) finds its refutation in the Report of the Philippine Commission (1903), Part I (pp. 65-70), which contains the record of defaulting officials. During the representative period noted above, there were six—too many by six for the honor of the Constabulary, but too few by many to justify the sentence that "the Philippine Constabulary ought to be either composed of white men warranted not to embezzle, or abolished."

The introduction of the Conant dollar draws from Mr. Foreman the following sentence of wonderment (p. 402): "How the Americans supposed the Mexican dollars were going to disappear from the colony, no one seems to be able to explain." The process was so simple that it hardly needs explanation. On April 3d, 1903, Congress passed the Philippine Currency Act, creating a local coinage. Debased currency was forthwith shipped to the United States, to be reminted into the new currency. Up to October 31st, 1904, from thirty to forty millions of Mexican silver was thus eliminated. The first Philippine *peso* passed into circulation July 23d, 1903. From October 23d, 1903, until January 1st, 1904, the old currency was receivable for public dues at a rate fixed from time to time by proclamation of the civil government. On January 1st, 1904, the Mexican *peso* was demonetized, and its further importation prohibited.† The process of change was pro-

* See Report of the Philippine Commission (1903), Part I., p. 65–70.

† The *peso* is at this date being received for redemption at a rate fixed from time to time by government in order to protect the interests of the poorer classes.

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gressive, and a gold standard established within seventeen months, with a minimum disturbance in business circles.

A man writing on military questions ought to be posted on the common elements of martial law, and not express surprise at the existence of a secret service (which Mr. Foreman vilifies on page 394; again, as it is constituted under civil rule, on page 397), the necessity of a temporary curfew law (p. 395), the liability to imprisonment of non-belligerents who give aid to the enemy (p. 395). His attack on the *morale* of the American volunteer regiments (p. 393) may be offset by a quotation from Major G. I. Younghusband, of the Corps of Guides of the British Indian Army, whose judgment was formed not from gossip but from personal observation, as he was in Manila during the period under consideration, which Mr. Foreman was not. On page 108 of his book, "The Philippines and Round About," he says:

"The work of an army of occupation tries the undisciplined soldier very highly, and the work of keeping the machinery running becomes stupendous. Be this as it may, and speaking as an outside observer removed from the small worries of the 'inner' working, I feel bound to record the fact that a better behaved, more orderly set of men than these eighteen thousand volunteers could not be found in any captured city: true, the men went about in every description of clothing or lack of clothing, and were often dirty and unkempt, but, external appearances apart, their behavior and demeanor were excellent, and I had every opportunity for judging, for our lodging was in the very thick of them and possibly two or three thousand passed our window daily."

Mr. Foreman magnifies the occasional outrage or irregularity into the ordinary happening, when he says (pp. 393, 394): "Drunken brawls, indiscriminate revolver firing, indecent assaults on women, kicks and cuffs to any Filipino, burglary in broad daylight and thefts from shops and street venders were of hourly occurrence," etc. It may be worth while to draw attention to similar instances of exaggerated and excited language, picked out as the eye chances on them: "Americans fired haphazard at *everything moving*" (p. 395); "they arrested *anybody*" (p. 395); abuses committed by the "secret police are *innumerable*" (p. 397); "one has to be *extremely careful not to converse with a stranger* lest he should be a secret service spy" (p. 397); "*exorbitant* fines are imposed for the *most trivial* offences" (p. 397); "in Manila one lives in a *perfect labyrinth of vexatious regulations and ordinances*" (p. 397).

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The march of events has answered, in the few months that have elapsed since he indited his article, several of his strictures—for example, the progress toward settlement of the friars' land perplexity, where delay has been due more to ecclesiastics than to government* (p. 396); the completion of the first section of the electric tram system to take the place of the "comfortable street carriages of Spanish times" (p. 397), and so release us from the tyranny of the "rickety gig" or the *carretela* of American times: and the railroad bill has put even the impoverished (p. 403) Manila & Dagupan Railroad (which voluntarily has extended its system since 1902) into the running for the new franchises. The superintendent of the road has recently made a statement in the public press to the effect that never under Spanish rule was the business over which he presides in such a flourishing and hopeful condition as to-day.

A categorical negative is the only reply necessary to such statements, to choose a few out of many, as "there is no security whatever for travellers in the provinces" (p. 395); "robbery, violence and murder are of daily occurrence outside the capital" (p. 395); the Commission "on rare occasions" only, and then merely "as a matter of form," give public hearings (p. 395); the Benguet road is being constructed "solely in order that the Civil Commission may enjoy the mountain breeze" p. 399); "the whole scheme [of official administration] is designed for American manufacturers to make fortunes" (p. 401)—there is something grotesque in this last complaint, in view of the overcautious guarding of Filipino interests that makes it next to impossible for Americans to get business foothold in the Islands.

A continuation of this detailed *exposé* would be wearisome. In the thirty paragraphs of the entire paper, there are but three not open to challenge. A mass of exaggerated statement and misleading innuendo remains, and its trustworthiness may be measured by the accuracy of those portions of the article already examined. Lying beneath misstatement, contemptuous expressions, sweeping generalizations and gossip, there are, here and there, truths and half-truths, for conditions are by no means ideal, and the course of government has not been free from grave

* As soon as the friars present proven titles the money is paid them by government according to the agreement consummated at the end of 1903.

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blundering. But, under the circumstances, it is preferable to consider these as they come from a balanced critic: so we shall turn from Mr. Foreman to Mr. Alleyne Ireland.

II.

Mr. Ireland's work is of a very different type. He has carefully studied documents and figures, and, however much one may challenge his standpoint and disagree with his conclusions, his attitude is that of a truth-seeker and his criticism worthy of respect. Like Mr. Foreman, he is a British subject, and throughout handles his topic under the sway of the prevailing British ideas of colonial government.

(1) In the process of growth, we have reached the stage of oversea expansion. The question which arises is not whether we will shirk the responsibility involved, but whether we will accept it according to traditional ideas, or strike out on a reasonable though independent course in keeping with our own history and character. An independent course was taken, and, so far as we can judge at this early date, successfully taken, with Cuba. The fact of its being a few hundred miles instead of many thousands distant from the American continent is of no importance. Rather does it make our action all the more striking, precluding the imputation of selfish motives. The natural size of American territory is a presumptive argument against the wisdom of oversea expansion, and in one sense marks us apart from the universal experience. At any rate it leaves us free to act with a certain indifference to foreign possessions, and to experiment where another nation would bend to tradition. Moreover, we have come into our new inheritance at a moment when older countries for the first time in history are wide awake to their responsibility for the development of the full native capacity—in government, in morals, in industry. And if we have a larger hope for the political and intellectual growth of Oriental peoples than our seniors, it is due to our own vision of youth and to that which has come to us from our own experience. Naturally, this has a significance for an American that is lost on aliens. Throughout, Mr. Ireland assumes that a finality has been reached in colonial relations, the British situation representing the absolute standard. But it is, in the life of nations, only a brief space since the utilitarian Bentham advocated the abandonment of the colonies

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as they contributed nothing but trouble to the home land. Since then, after varied fluctuations of opinion, Imperialism has assumed the throne, and the doctrine of mutual responsibilities between Great Britain and her dependencies is the popular doctrine. The spirit of the age is that of aggregation. This, however, in a country of vast expanse like America, does not forbid our dealing with the Philippines—if, after experimentation, results justify it—as we have dealt with Cuba, without laying us open to the charge of ignoring the universal experience. It simply marks a new stage in the working out of the responsibility of the stronger to the weaker.

(2) Though at first sight it seems practicable to consider the question of the Philippines apart from American politics, a little reflection shows that it is academic to fail to consider all the elements in a given situation. Facts are facts, and, in dealing with the relation of the Philippines as they are to the United States, you must deal with the relation of the United States as they are to the Philippines. To say that the Philippines must be handled apart from the national politics of America is the utterance of a doctrinaire. The Islands have become a part of American territory. Now, it is conceivable that a given State of the Union might be benefited by a course contradictory to the Federal Constitution, but it would mean disintegration of the whole were such a course permitted. The interests or professing interests of the whole are reflected on every part. This is of the essence of union—not that it results ideally, for various abuses find protection under the principle, and sectional are sometimes confounded with national interests. But national politics will always weigh heavily on every part of a nation, especially where the threads of union are as closely woven as in the American republic.

Take, by way of illustration, the case of India. Parliament holds in its hands final authority, though it uses that authority only when home interests are threatened by local legislation. That is to say, it makes India amenable to home politics. "The British public in the last resort," so says the most recent writer on the subject, "are masters of India." Thus it is that the cotton industry of India is hampered by legislation, in order to give Lancashire a market. It would be tremendously to the advantage of Indian producers to have a prohibitive tariff on English cotton goods, but English politics forbid it; what tariff there is,

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is offset by a reciprocal tax on the indigenous product. Again, is it not home politics that unjustly throws the entire cost of maintaining the 58,880 British troops, as well as of the 203,114 native regulars* of the standing army of India, on that country, which is so poor that she cannot afford to suppress the opium traffic lest her exchequer be depleted by five million pounds sterling annually?† The army exists not merely to protect the *pax Britannica,* which is undoubtedly a boon to the native, but for the complex purposes of British Imperialism; and, were it not for the influence of home politics, a fair share of the annual expenditure of about £16,000,000 sterling would be lifted from the shoulders of overtaxed India.

These illustrations must suffice to confute the sweeping generalization that colonies should be governed "from the standpoint of colonial interests alone." The course is not one of ignoring home politics, it is rather one of adjustment and perspective, the equable consideration of all elements in their mutual relations. At present, home politics bear undue weight in Philippine affairs. Hence it is that, unless the free introduction of Philippine products would gravely menace the livelihood of American citizens, they ought to have a free, or at any rate a fair, market. Manila hemp is already on the free list; sugar and tobacco can be fearlessly treated in the same manner, with no more serious result than a slight reduction of dividends in wealthy corporations. A curious piece of consistency in legislation is the bill that applies the United States coastwise navigation laws to trade between the Philippines and America after July 1st, 1906—unless its enforcement can be postponed until 1909 (why not make it 2009?). Whatever it may do for shipping monopolies at home, it is bound to lay a new and cruel burden on the Philippines by virtue of advanced freight rates, rates being already all that can be borne. It will tend to throw trade into European markets wherever produce may be had at a cost equal to or less than American prices. I have already taken steps to make such imports as we require in the interests which I represent from England and elsewhere in Europe. It is curious that, in the twentieth

* April 1st, 1902. See Blue Book for 1904. By an act of Parliament in 1900 the Indian government was relieved annually of 257,500 pounds sterling which England assumes.

† See Sawtell, "Actual India," p. 77; also Decennial Report (1904, p. 171).

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century, America should thus reproduce the English Navigation Act of 1651, an act born of short-sighted insularity, which from the beginning "not only occasioned sharp dissent, but in its enforcement encountered serious difficulty," so that in the end it accomplished nothing.

The extension to the Philippines of the Chinese Exclusion Act is given as another illustration of the dominance of home politics. But the question of the introduction of foreign labor is a vexatious one, and by no means as simple as our critic would make it. It is something more than the reflection in the East of American sentiment and political ideas. If we are seeking the development of the Philippines rather than that of the Filipino, there is nothing to do but acquiesce in Mr. Ireland's strictures. The Filipino at the present moment is lacking in skill, industry and aptitude. But experience shows that the unrestricted influx of Chinese coolies means the end, industrially, of all hope where the Malay is concerned. In the Straits Settlements the Chinese are encouraged by the British to come in as they choose, for the benefit of local British commerce. The result is that they already far outnumber the natives, who are left unencouraged in shiftlessness and indolence. To what extent do the Malays of the Federated States contribute to the *per capita* export of $44 quoted by our writer? (p. 583). Comparative statistics such as Mr. Ireland adduces are good things to juggle with. In their reduction to simplicity so many elements of importance are dropped out that they become as barren of meaning as most naked figures are when they have gone through the comparative mill.

But to return to the condition of the Malays of Singapore and its environments. They and the Filipinos belong to the same racial stock. But so far in advance of the former are the latter in civilization and intelligence, that it is hard to think of the two peoples as being blood-relatives.

Again, the introduction of Chinese labor means the extension among the Filipinos of Indian opium. The annual rental of the farm in the Straits Settlements is $5,580,000 (local currency)—$10 *per capita*, man, woman and child, in the entire population of a little over half a million. Declining the discussion as to whether opium can be used with impunity by Chinese, every one who has had any experience knows that, when the habit seizes the Malay, it will sweep through the community as fire through

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jungle grass.* America, in conformity with her earliest traditions of Oriental diplomacy,† which is not in contradiction of but in accord with thinking Chinese and the whole Japanese nation, has passed a law, to come into force in 1908, prohibitive of opium in the Philippines, except for medicinal use. If the law is as effective in operation as it is in Japan, ultimately we may import Chinese labor with a minimum of risk.

It is only fair to myself to state that, in giving a balanced view of the difficulties involved in the admission of Chinese coolies, urging various arguments against it, I have not abandoned the conclusion that I have always held that, under proper regulations, limited immigration‡ (or immigration for a limited period under bond) would tend to tone up the whole industrial situation. To what extent the risk to morals would outweigh the industrial gain under present conditions, I am not prepared to state. The supply of native unskilled labor is unequal to the demand. In government works—as, for instance, the Benguet road—foreigners of any and every nationality available have had to be called in to bring the force of workmen up to its full strength.

(3) Mr. Ireland's *résumé* of the events leading immediately into the insurrection under Aguinaldo is in the main correct (pp. 578-581). Some side-lights thrown on the subject by original documents in the possession of the United States government illuminate and modify a portion of what he says. It is more than doubtful, for instance, whether Spain was under any obligation to initiate reforms according to the terms of the Treaty of Biac-na-Bató. There is no documentary evidence to this effect, though Aguinaldo at one time maintained there was, afterward, however, claiming that verbal promises had been made by the Governor-General, Primo de Rivera. Judging from the records, Aguinaldo was "bought off" by Spain, surrendering himself and his followers on the promise of a fixed sum of money (800,000 *pesos,* to be paid in three instalments), and leaving the Islands. On the occasion of a dispute arising among the members of the stock company formed to administer the moneys in Hong-Kong,

* In the Straits Settlements there is one law (a permissive one) for the Chinese and another (a prohibitive one) for the Malay—similarly also in Burmah. But in both countries the vice is making steady headway among the natives.

† See Foster's "American Diplomacy in the Orient."

‡ Such as Mr. Ireland indicates at the close of his paper, p. 593.

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Aguinaldo and two companions took possession of such funds as they could legally carry off (one, Isabelo Artacho, having attached a considerable portion of them) and under assumed names left for other parts.* Upon the outbreak of the Spanish-American war he was found in Singapore, where the extraordinary negotiations between himself and the American Consul, recorded by Mr. Ireland, took place. Aguinaldo was loath to return to the Philippines, but sailed under the pressure of his fellow exiles, May 16th, 1898, for Manila on the U. S. S. "McCulloch." The Hong-Kong *junta* were not of one mind. Some advocated annexation to the United States, others independence. Aguinaldo, with the purpose of striking for independence when opportunity arose, but on the surface as Philippine representative of the *junta* charged merely with the organization of a pro-American revolution against Spanish sovereignty, landed in Cavite on May 19th. The sequel needs no repetition.

That there were defects in the conduct of affairs at this critical moment is true indeed, just as the same thing is true regarding the relation of England to American affairs prior to the Revolution, when, "in its political aspect it was little but a long succession of errors." This application of Mr. Ireland's words to that distant incident is not a cheap *tu quoque,* but a means of emphasizing the fact that human action, especially in its corporate aspect, is defective. *Respice* shows many things which *Prospice* could not see. The government was silent and gave no encouragement to Aguinaldo, whatever individual officials and irresponsible citizens may have done.

The question as to why America was so non-committal and uncertain regarding her course needs further explanation than that it was a political error. Why did we not at once play the rôle of conquerors? Why did certain persons coquette with Aguinaldo and give him and his fellow exiles any attention whatever? Tradition had long since set the mind of America. She had no ambition for oversea possessions; her temper, by virtue of her national experience, was peculiarly sensitive to the political rights of other peoples; the war she was engaged in was to secure freedom (including independence) for an oppressed country; the recent insurrection of the Filipinos against Spain indicated at least the

* Foreman in his book gives the Filipino interpretation of these events, pp. 566 ff.

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possibility of their capacity for autonomy; and we were but little posted in the peculiarities of Oriental character. Taking these facts into consideration, it is only natural that America should shrink from assuming sovereign rights *ex animo* and from claiming possession according to the traditional laws of conquest. Men were jealous for their own national traditions, to say nothing of their fearing what was bound to be a thorny responsibility. The presumptive course in relation to a second Spanish colony falling by accident, as it were, into our hands would be to take steps for its autonomy also. America instituted measures to inform her ignorance; but, by the time the matter seemed clear, the foundling had become wayward. It was to ascertain what was wise and just that the Schurman Commission was appointed. Had the commissioners brought in a finding that, in their judgment, at an early date the Filipinos would be capable of setting up a republic, the same processes would have been set in operation as have become a part of history in Cuba. "No British, French or Dutch colonial governor in the Far East" (p. 581) could have given advice of sufficient value at this juncture to make it worth the asking. Unless my understanding of the colonial views of European nations is far astray (and I have gained what knowledge I possess from observation, from conversation with many viceregal authorities and commissioners throughout the Orient, as well as from a study of history and current reports), it starts with the assumption that the natives are and always will be incapable of complete self-government. Of course, by this is meant self-government in the Western sense.

In Egypt is perhaps the most advanced effort of England to develop an Oriental people. Some Americans of prominence hold it up as the model on which we should shape our Philippine administration. Undoubtedly, it is a fine piece of work, and has brought a country from bankruptcy to affluence in an incredibly short time. But a careful study of the history, methods and present temper of the English "occupation" of Egypt leads me to characterize it as a beneficent despotism. The *morale* of the people has been advanced only in a minute degree, and the prospect of an independent Egypt is further below the horizon than it was when Lord Milner wrote his book.

In India, during the last twenty-five years, additional facilities have been given to natives to rise in the civil service. This is

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working out in such a way as to make high positions, especially in the judiciary, more and more open to Indians. But it is viewed with apprehension by some who fear that it will eventuate in the overthrow of British dominion in India. The whole policy of Great Britain to-day is more imperialistic than at any period in history. All the territory and influence possessed by England is being consolidated, an attitude which brings home politics to bear heavily on the remotest parts of the Empire, so that a keen critic and student of his country's colonial affairs says: "British rule tends to destroy native originality, vigor and initiative. How to replace that which our rule takes away is the greatest Indian problem."

My observation of Eastern colonial methods leads me to fix upon Japan's rule of Formosa, both in its moral flavor and in considerateness for and understanding of the people of the island, as being the most advanced of all. But there you have Orientals dealing with Orientals.

America was and is still uncertain whether or not the Filipino will ultimately rise sufficiently to be able to govern his own affairs without outside help. At any rate, she refuses to accept it as an axiom that Western nations must govern the tropics, partly on the ground that, until within fifty years, there has been no serious consideration of the native being educated to govern himself, and the nations most experienced in colonial matters have never gone further than holding the thought as a speculative idea;* that is to say, no deliberate plan for ultimate independence has ever been set in operation—unless the artificial Republic of Liberia be adduced, and that was the creation of American philanthropy, though some English were included among the group; and partly because her one recent, daring experiment, which was viewed sceptically by many eminent British thinkers, has roused surprise and admiration in the minds of men who began by regarding the scheme as visionary and Utopian.

For the same reason that America began her course with an

* According to the judgment of probably the most experienced colonial statesmen, there is no hope of the Oriental grasping our Western conception of government so as some day to graduate into democratic independence. The tropics must be rightly governed for the sake of the world, not to mention native interests; Western principles can alone accomplish this end, therefore tropical dependencies must be administered by Great Britain and other Western countries as a permanent trust. See Kidd's "Control of the Tropics."

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over-scrupulous sympathy with possible political ideals in the Philippines, she is giving a prominence to-day to the political life of the natives which calls out the criticism that, "broadly speaking, the American policy in regard to the control and development of the Philippines is the exact opposite to that adopted by every other nation, in that political development has been taken as the standard of attainment instead of industrial development, in opposition to the universal experience of mankind, that the latter has always preceded the former" (p. 583). If "the universal experience of mankind" revealed that the former had always followed the latter, Mr. Ireland's argument would be more convincing. That we are not ignoring the industrial development of the natives any one who wishes to consult government reports can assure himself. But it is true that we are laying unwonted emphasis on political development and education in self-government, as our own national history, which is a part of "the universal experience of mankind," requires us to do. Our political life may be said to have begun before our industrial, so that we are simply true to our experience in instinctively turning our attention to the political concerns of our dependency as our foremost duty. It was because Great Britain gave too exclusive attention to her own commercial interests, and too little to the growing political character of her colonial child, that the cord that bound the Old World to the New was snapped asunder. To-day commercialism holds a high place in British colonies; but it is, to say the least, doubtful whether native industrial interests receive in relation to British commerce that measure of attention which equity demands. Because a recent Governor of Hong-Kong was markedly considerate of Chinese interests, he brought upon himself harsh criticisms from his compatriots in the colony. I say this, conscious that we have no right to assume that what is just for foreign industrial venture is necessarily detrimental to native interests, an assumption which it seems to me we are perilously near making in the Philippines. "The Philippines for the Filipinos" has all the limitations of an epigram.

It does not follow that, because natives when left to themselves do not evolve "popular" institutions, a democratic ideal will never recommend itself to them. That may come about through tuition and powerful influence (as, for example, constitutional government has risen in Japan) which would never grow of itself.

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Whether or not, after many decades, the Filipinos will learn and become enamored of the principles of democracy, I cannot say, but the experiment of education in self-government is rational, as we are dealing with a people already partially Europeanized, who became our responsibility at a moment when there was stirring in them the first pulsations of self-conscious life.

(4) The cost of government in the Philippines is great—too great for the revenues, as has been recognized during the past year by the merging of two offices in one and various other retrenchments. A committee charged with the duty of reconstructing the details of government has just begun its work. It is expected that it will result in simplification and economy, a reform that is greatly needed. But it is not an opportune moment to measure the situation by Philippine exports, as our writer does. (The "total industrial product" is not synonymous with "exports," as he makes it, pp. 587, 588.) The Islands, even under infallible rule, could not have sufficiently recovered industrial equilibrium at so short a distance from war and pestilence to justify the kind of comparison Mr. Ireland institutes with old-established British colonies under stable and developed conditions.

III.

Mr. Ireland is right when he says: "When we attempt to force democratic institutions or corporate government upon tropical people, we simply assume, without any warrant whatever, that we know better than they do what form of government is best for them" (p. 585). One who has had a wide experience of the East, said to me a few days since: "Whether in the realm of things ecclesiastical or in that of politics, remember that the Oriental understands nothing that does not come from above, with the stamp of divine authority." The Oriental knows but one form of government, as a rule, and that is despotism. Whether he is capable of being taught the principles of democracy, as we understand them, is doubtful; but, with further experiment, the influence of Japan, with her highly developed constitutional government, and yet with that mystical element that inheres in her venerable dynasty abiding untouched, may do much to reconcile the despotic and the democratic. But to-day the one-man power is the only intelligible authority to the Oriental mind. The Filipinos have had their small stirrings toward democracy, but

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the closer I examine the records of the insurrection, the more convinced I am that despotic rule of an ultra type would have ensued upon success. There was a day in the affairs of India when it was supposed that all that was needed for its salvation was instruction in the English language and the forcing down the native gullet of English ideas and customs. Cawnpore and a few other ungentle expressions of opinion have taught insularity that, though you can lead a horse to water, you cannot make him drink. He may even kick! It is conspicuous in the administration of Egypt, India and Burmah to-day that the native mind is being studied and the native genius considered. The same mistake has been made in the past by government which missionaries are constantly charged with. Westerners went to the East and tried to build up their own institutions without regard to the native bent, trampling on his traditions and sneering at his political creed. Both missionaries and representatives of government have come to their senses for the most part. They have learned that their function is not to destroy but to fulfil; that the first thing to do is to observe, to secure common standing-ground where sympathy may have free play, to avoid violent changes.

Now, in the Philippines I am afraid we have been retroactive in this respect. We have laid our system, with its refined features and fully clothed form, on the shoulders of the native before wholly understanding him. We are inclined to legislate too freely and too minutely; we are developing the dragon of red tape which the Viceroy of India is trying to slay; and, most serious of all, we are putting measures before men. Whatever criticism may be made of England's colonial system, no one can look without admiration and applause at the flower of manhood which graces her positions of trust. Their characters are *sans reproche,* their ability conspicuous, their devotion to work remarkable. They may rouse enmity as conquerors and aliens, but they command respect as being upright, efficient, just. Neither Lord Curzon nor Lord Cromer will allow an unworthy or an incompetent man to remain in office—indeed, they refuse mediocrity. We need fewer inefficient and mediocre men in the Philippines. It would be true economy to go short-handed, or to abolish some offices altogether, rather than retain a single man who is not up to an increasingly high standard. A little official head-hunting would be a wholesome thing in the Philippines. We cannot hope, how-

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ever, to secure the finer type of men, unless the government can offer them a career. The spirit of adventure for the sake of the nation is not wanting in our youth, but they are unwilling to risk everything for what at best is a precarious future. A partial explanation of the defalcations which have taken place is that the offenders are tempted to gamble because of the unstable conditions under which they serve.

Again, it may be said that, with characteristic precipitateness, we have set about doing the work of creation in one day instead of six. We have been guilty of the one thing that the Oriental above all else hates—we have hurried him. He is bewildered by our bustle. He could stand two or even three sections of chaos being taken in hand; but, when the whole mass of disorder is pitched into the mill of order, it is more than he can bear. Our haste to set all things right at once has made us lose perspective, and lapse into extravagance; as a result, matters that demanded whole-souled attention have met with only half the energy required. It has been repeatedly pointed out that due respect has not been paid to the question of roads. The Commission meets the criticism by saying that (up to March, 1904), the sum of $2,081,000 (Mex.) and $672,188.24 (gold) has been appropriated for roads and bridges. But a traveller through the Islands sees but few *permanent* roads as the result of this expenditure. To take a single illustration, the once fine Spanish road running northward along the coast from Dagupan was in a state of ruin a year ago, without a single bridge as far as Salomague. It did not look as though it had been touched since Spanish days. One would have supposed that this would have been among the earliest pieces of work to receive attention. Trails have been kept open, but trails are not roads; and, owing to the heavy rains, they have to be practically reconstructed from year to year. It is only fair to say that the Philippines have problems of engineering of unusual difficulty, owing to the volcanic formation of the country, its susceptibility to earthquakes, and the ravages of the wet season. Delay in establishing a General Hospital cannot be excused on the score of a depleted exchequer. Moderation instead of inexplicable extravagance in the outlay for the Philippine exhibit at St. Louis* would have left sufficient margin for the purpose. The unanimous voice of the people and private munificence have been un-

* About $1,500,000.

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able to move the Commission to action in a matter which so overshadows other native needs as to put all else that pertains to their physical welfare in a subsidiary position.

With this I shall desist from criticism. J. B. Dumas remarked:

> "The art of observation and that of experimentation are very distinct. In the first case, the fact may either proceed from logical reasons or be mere good fortune; it is sufficient to have some penetration and the sense of truth in order to profit by it. But the art of experimentation leads from the first to the last link of the chain, without hesitation and without a blank, making successive use of Reason, which suggests an alternative, and of Experience, which decides it, until, starting from a faint glimmer, the full blaze of light is reached."

This was said with special reference to the science of biology, but the principle is equally applicable to the science of government. A well-posted, honest observer viewing, say, Philippine affairs from the outside, cannot hope to rise above the grade of a theorist—I am not questioning the value of the academician; I am merely indicating his limitations. There is another and superior illumination which comes only to the worker. He is the experimentalist, and, though his danger is to be lost in detail, it is he who eventually solves the problem. Our work in the Philippines has begun with the right motive—that is to say, it starts at the top notch of colonial ideals, assuming the possible capacity of the natives under our training, at however distant a date, for complete self-government; and in its details of administration, in spite of what Mr. Ireland with his imperialistic conceptions would deem its eccentricities, it makes use in the main of the more advanced methods of British colonialism. Where there are mistakes, experience and experience alone can correct them. The system we have erected is not going to survive in all its pretty perfection; the facts of the situation will by degrees knock it into a less symmetrical but more useful shape. After our new-broom energy has lost some of its feverishness, we will move with less speed and greater sanity, bending our theories to experimental knowledge. With a growing understanding of Oriental thought and life, a fitness of method will appear which as yet is not conspicuous. The Commission is badly hampered, as Mr. Ireland points out, by its relation to Congress. There is no reason why a law enacted by the local authorities should not become operative *ipso facto*, and remain so unless or until rejected by the Secretary

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of War. It would simplify machinery and allow the Governor-General and his associates to breathe freely. In essence, England is as true a republic as America, and there is no anomaly in our adopting a method which has been tried and found successful in the older country.

The unfolding days alone can declare what our control of the Philippines will accomplish for their people. We are laying at their disposal, in however blundering a way, the best we have—freedom in religion, I put this first as being the greatest; the benefits of science; the advantages of free education; the principles of self-government. We shall without question be called upon from time to time to modify, abandon, change, reconstruct—for such is the course of progress. We will not allow our leaders to remain ignorant, if ignorant they are, of the history of colonial development, though we afford a striking proof of the heredity of acquired characteristics, in that we are as open to the charge of knowing only about ourselves as Bishop Creighton said his countrymen were when he exclaimed: "The ignorance of the British public about any other history than its own is so great that no one ever writes in English about anything except England!" There is much that we could deliberately adopt from the British colonial experience, nothing that we can afford to ignore; and, if I have seemed to be over-critical of the British method, it is due to my desire to emphasize the fact that no absolute conclusion has been reached, and that we cannot be true to ourselves if we become mere imitators. We must go our own way, because we are what we are; we must be true to our own national genius, even at the cost of a maximum rather than a minimum of blundering. If we are at all successful in carrying events to a happy issue, as I have every confidence we shall be, especially if our very best young men are encouraged to take their places in Philippine affairs, we will perform something more than a small and obscure local task; we will add a new and instructive chapter to the history of colonies, we will lift to a higher level the conception of the responsibility to the weaker people of the stronger, and we will forge a link in the chain which one day will bind the East and West into an intelligent and sympathetic unity.

CHARLES H. BRENT.

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JOHN HAY IN LITERATURE.

BY W. D. HOWELLS.

THE statesman whose death is so recent that our sense of him as a living force cannot yet accept the fact, may not at once find the place in our political history which his rare gifts and great qualities had been making secure for him. But John Hay's relation to our literature was already so definite before he died that one may venture to speak of it without the effect of undue haste, though one may not so much try to fix the terms of a final judgment of his work as to ascertain some of the reasons of his being poet, romancer and historian, such as he was, without being at his greatest either. He lived to be recognized as the ablest public man of his time, the inventor of a diplomacy that was sincere, courageous and generous, and it has seemed to me, in reviewing what he wrote, that he might have had an equal and a kindred fame in literature. For more than half his years one may fancy him standing at the parting of the ways, where he might have taken the path to preeminence in authorship, as finally he took the path to the supremacy in statesmanship which he really achieved. It is as if the choice was rather decided for him than made by him, so passive, so almost indifferent, was the attitude he kept in the eyes of the spectator. Before he entered public life as one of Lincoln's secretaries, he had given proof of his talent and his skill in his class poem at Brown University, where he received the academic training still exceptional with our literary men. To say it was a class poem is sufficiently to characterize it, perhaps; and to add that it was easily better than most class poems is not to praise it overmuch. There was the graceful handling of a familiar measure, and the easy mastery of the forms which a young writer's reading makes his second nature; but it was more than commonly representative of the poet's own

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thinking and feeling. There was security of touch in it, though there was not yet the maturity which early characterized his prose, and which is present in such marked degree in his paper on Ellsworth, the young captain of Zouaves who fell in the first months of the Civil War.

It was with this paper that my own knowledge of Hay in literature had begun; but four or five years later, when American literature on the continental terms was ceasing to be New England literature, there came to me, as assistant editor of "The Atlantic Monthly," a paper from Madrid, written with a certain very instructed command of the facts, as well as with a literary charm which had the freshness of surprise. It was the first of the chapters which went afterwards to form the brilliant volume, "Castilian Days," and was the vivid study of "A Field Night in the Spanish Cortes"; but, authoritative and vivid as it was, it showed an inequality which is most marked in its difference from the second paper. In his study of the Cortes he is carried a little, or call it a good deal, beyond himself, by the dramatic picturesqueness of the material, which he feels so intensely; and there are reversions to younger modes and terms of expression; but, in the more analytical and descriptive sketches which rapidly followed, there are far fewer, and oftenest none, of these survivals of youthful ideal. For a writer still so young, he keeps himself astonishingly in hand; if he escapes the rein now and then, it is in the humor, which is largely an ironical wit, or an excessive sarcasm, with also a touch of something academic in the attitude. The prevalent note is that of a morality severe almost to austerity; it is all very democratic, very American, very Protestant; but the severity is not discordant with a lyrical pleasure in the beauty of the theme. Spain lives under his hand, and the book itself lives through its fidelity to the facts, and will always hold its high place among the three or four books by American hands in which the life of an alien people is rendered with unsurpassed intelligence. There are chapters, and when there are not chapters there are passages, of singular beauty, where the author allows himself to be a spectator, a charming commentator, who has no duty to his reader but to make him see the thing as it is. The range is very great, from the note of slight, transitory social phases to the study of important political aspects, which neither he who wrote, nor we who read, could then

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have imagined equally transitory. It was the hour when the friends of Spain hoped for a Spanish Republic; and it is one of the most interesting offices of Hay's delightful work that it forms the historical record of this generous hope, now long extinct.

If I recur from it to his earlier monograph on Ellsworth, it is certainly not to praise it less, but to recognize more fully the worth of a personal tribute, which is also, however unconsciously, an inquiry in American conditions and passions at our most fateful hour. It is valuable for rare analysis and insight, and touching for the poetry which colors the figure of the young hero in the tints of the Tennysonian idyls then so fresh in youthful minds; while the darkness of the reality with which the writer dealt seems to have sobered his grief and made him anxious to render the likeness of his friend with a touch unshaken by emotion. It long preceded the Spanish papers in "The Atlantic Monthly," but another contribution still preceding these was that with which my editorial satisfaction in Hay's work began, and which seems to me peculiarly worthy of mention. The paper, which he called "The Mormon Prophet's Tragedy," relates to the assassination of Joseph Smith, and the expulsion of his followers from Nauvoo, which founded the Mormon rule so enduringly in Utah, and it is striking not only for the sort of self-restraint which the writer shows in the Ellsworth paper, but for the knowledge of the Western frontiersman, now obsolete. His character, in its wild burlesque, and in its picturesque ferocity, is caught with humorous intelligence; and, in the portrayal of real persons and events, the critical reader will find intimations of that sense of the grotesque which afterwards expressed itself in the "Pike County Ballads." It could have been written only by one directly familiar with the life and personally cognizant of the types, but with the instinct and culture enabling him to remain above them. Such a witness might have given us a picture of that bygone West which no other could portray with the requisite perception and imagination. Hay alone had the scope and penetration which would have sufficed for the large masterpiece still wanting among those faithful minor studies in which our literature abounds.

The Spanish studies were often journalistic in the actuality of their material, though so essentially artistic in form and manner; and, when Hay resigned his place at Madrid and returned to

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America, it was presently to give himself very frankly and devotedly, if not fully, to journalism in New York. I doubt if he felt this a descent from the literary heights which some of us like to imagine overlooking the newspaper levels. He was in love with the looks of public life, as they changed from day to day; and he may have unconsciously turned to journalism as a form of poitical activity. He had much to say of that life,

"Its fluctuations and its vast concerns;"

and he must have been aware of saying it strongly and attractively, of being the contemporaneous historian which the journalist is at his best. He would have been the last to let any one else distinguish between his journalism and his literature. He knew well how nearly they were allied; and, if I pass over his criticisms of public tendencies and events, it is with no slight for his leading articles, or the leading articles of others. I can even imagine that he wrote them with greater zest than his sketches and poems. He was not only framed for that kind of work, but he found in it shelter from the irksome personal notoriety which attends the poet and the novelist. The impersonality of journalism was for him the disguise within which he could be most truly himself; but, when he was most truly himself, he must have felt himself at odds with his disguise, for he was primarily, if not finally, as much an artist as a polemist. It all ended, those splendid and useful labors, in broken health; and when he left New York and went to live in Cleveland, away from the work that had invalided him, there was a tacit expectation among those who valued him most for the inventive in him, that now he would give himself to "pure literature," as they would have called it, more arrogantly than he would have allowed, in distinction from journalism. He had already offered proofs of his gift in poetry, and if in fiction he was yet to do his most successful and notable work, it was with a shrinking from the implications in which he left it lastingly anonymous. I must not do more than guess at his authorship of "The Breadwinners," or do other than passingly touch upon its traits, since he never would own it. It dealt with the labor question in the old persuasion concerning united labor, and it cannot be found a modern criticism of economic conditions. But it has great merit in its characterizations, especially those picturesque and eccentric

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embodiments of our life which seem always to have interested and amused Hay beyond others. The people in it apparently the most spontaneously and importantly treated are not the "gentlemen," but the non-gentlemen, not because they were more to the author's taste, but because they were more to his talent, and possibly more to his interest. The author, whether he was Hay or not, was like him in divining these as the more genuinely American, the more authentically Western, and what was always claiming Hay in his inventive work was the American and the Western. He felt it the material of the future, the stuff out of which a new manhood was to be fashioned into figures unseen before. I think the best things in "The Breadwinners" are the sketches of the local politicians, the leaders who can swing their wards; and, when the account is made up by the future literary historian, I believe the author, whoever he was, will be found to have first portrayed, if not first understood, the American Boss, made or in the making. Toward our crude potentialities, his genius involuntarily turned from our provisional gentility, bearing the image and superscription of Europe, ineffectively graven or faintly stamped. It was his instinct for the value of the primitive which enabled Hay to know the greatness of Lincoln, though he long stood so close to it.

The sense of the backwoods, the knowledge of the frontier, inspired the longing to realize it in such shapes as loom large and rude in the "Pike County Ballads." He gave the name of these ballads to the volume of verse which he printed; but there are only four of them, as the reader, I think, will realize with surprise. The impression they made and have left is out of proportion to their bulk, and I am afraid I should say in some moods, to their worth. In other moods I should say that their worth transcended even their large impression. They belong to the very few results in any of the arts which have been of absolutely Western cause. One cannot imagine an Englishman imagining them; one cannot imagine a New-Englander imagining them. Their heroes are as native as Hosea Biglow, or Birdofreedom Sawin, and they represent the West as these represent the East. It was contemporaneously supposed that the "Pike County Ballads" were inspired or provoked by the Pike County balladry of Bret Harte, and they were first accepted as imitations or parodies. I believe they were actually written earlier, but if they were

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written later they were of a priority which any comparative study will reveal. They are of a wilder humor, and of a larger effect. I do not mean to undervalue Harte's work, when I say that it embodies persons, and Hay's suggests conditions—of course with an exaggeration agreeable to the make of the types showing in them. Their author is said to have said in later life that he wished people would forget them. This might have been in some moment when the sense of that which was involuntary, which was almost inevitable, in them did not so fully possess him. At any rate, they remain, and in verse they will as infallibly carry his fame as the "Biglow Papers" carry Lowell's. It is rather cheaply paradoxical to say that a spirit less delicate, less sensitive, than that of such a youth as Hay was would not have felt the wild allure of such types as Jim Bludso, Tilman Joy, and their like in "The Mystery of Gilgal" and the ballad of "Little Breeches." But without the background of the new country, where individual freedom counts for more than anywhere else, he might not have been able to show in such strong relief the social and political facts studied in such poems as "Sunrise in the Place de la Concorde," "The Sphinx of the Tuileries," "The Prayer of the Romans." He is not æsthetically more himself in these than in the "Pike County Ballads," which will outlast them; but he is more ethically himself. Many young poets of his day, of the same deeply Tennysonian reading, might have written a poem like "Guy of the Temple," and many did write the like, though few so well. But only such a poet as Hay, with his varying qualities, origins and traditions could have written the others, with their (now, perhaps, old-fashioned) American sympathy for all the oppressed.

In all his literary work Hay was prevalently a moralist. His book on Spain is, doubtless, the most constant witness to this fact. He can hardly see anything of that unmoral life without wishing to moralize it. His conscience is restlessly at work, and will not let him be till he has warned himself, mockingly or austerely, that he is not to enjoy this or that, without taking account of its spiritual, social or political nature, and is by no means to find pleasure in it because it is merely pretty or picturesque. I venture to think rather than to say that from the stress in which his tendency toward the æsthetical and his tendency toward the ethical were pitted against each other, he found no peaceful

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issue, no entire reconciliation, except in "The History of Abraham Lincoln." There his sense of what is great in human nature, which can be ennobled only as it is self-ennobled, together with his love of what is poetic and heroic in the endeavor of a people toward light and right, is reconciled in the treatment of a vast theme claiming his highest powers as a lover of letters and a connoisseur of men. But, in any wish to analyze this great achievement, one is stayed by the difficulty, the impossibility in great part, of distinguishing his work from the work of his colaborer and friend, Nicolay. They were united in the preparatory studies; and, though they separately wrote chapters and episodes, they came together in the reciprocal criticism which was essentially joint authorship. Besides, the scheme of the present slight affair, so far as I have framed any, implies the consideration less of Hay's performances than of his tendencies, and of his tendencies as I witnessed them.

I saw him during that period of quiescence in Cleveland, when he was conjecturably choosing whether, with his ripened powers, he should be artist or diplomatist, or, rather, as it has sometimes seemed to me, which part he should let choose him. I do not believe he would have cared for the public honors which might have come to him by election to this office or that; but I do not assume to know that he would not. What I know is that he then spoke of a local movement to bring him forward for Congress, which he was strongly discouraging. He treated the notion with a sort of humorous reluctance, but he may at the same time have felt its temptation; and he intimated the like reluctance, but not so humorously, when President Hayes offered him the office of Assistant Secretary of State. In his retirement he was, perhaps, cherishing the hopes, if not the plans, of literary work; but of this I will not be so sure as of the sort of yielding which I fancied in him from the moment he mentioned the President's offer.

When we next met, three or four years later, in London, he told me of a piece of fiction he had done, and let me see some chapters, or perhaps the whole, of it. His mind had again turned in that direction, but, doubtless, always with a deeper and stronger pull towards public life. It was the moment when the novel, "Democracy," was making an appeal to English curiosity by its satire of political and social conditions in America, and more especially in Washington. Mr. Gladstone had read it, and talked

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of it everywhere, and had set everybody else to reading it. No doubt it was often spoken of to Hay, who was anxious to have it believed he had not written it. His wish implied no criticism of it; only he had not written it; and the well-guarded secret of its authorship has long since ceased to involve his name.

Afterwards, in Washington, he was for many years exclusively employed with his work on "The History of Lincoln." But in this it was doubtless the political rather than the literary attraction which was stronger for him. He must have been glad to know that he was dealing with one of the most tremendous episodes in the life of the world, and that, in the very treatment of the subject, the what of it was infinitely paramount to the why of it. If this is true, it marks the moment in which the man of letters was finally subordinated in his distinctly dual nature to the man of affairs, of public affairs. We may fancy that, up to some such time, it had always been possible for him to turn again, and, if he would, be one of our first poets, one of our first novelists, one of our first essayists, as he certainly became one of our first historians. His relinquishment of any such ambition need not have been explicit, or even conscious; it would have effected itself, as such things do, without his intention.

His work on "The History of Lincoln" filled up the interval when he was out of public life, during three administrations; and it was, probably, a sacrifice when he returned to it, at President McKinley's strong urgence, as Ambassador to England. His service as Secretary of State was under our own sky, and in our own air, and John Hay, whatever he knew of the world elsewhere, or however it had interested his mind or amused his fancy, was very helplessly and inalienably American. He was American and he was Western by virtue of that very fineness of spirit, that delicacy of mind, that gentleness of heart, often imagined incompatible with our conditions. There was never in him any peevish revolt from these; he accepted them, as he accepted our heat and cold; they were the terms of our being worth while.

Something of this is evident in all he wrote. In the great history which he contributed to our literature; in the admirable study of a foreign life which he left; in the striking, if strikingly unequal, poems of which he always thought so modestly, he avouched his ability to have done what he wished in literature, if

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only he had wished it enough. He showed in these the potentiality of a great popularity, when he turned from them for the other career which was not more than equally open to him. Yet he chose to do his greatest service to the public independently of the popular choice, and he, the most innately American of our statesmen, came to represent what was most European in the skill of the diplomacy which he practised. We shall all of us love always to think that the frankness, the honesty, the brave humanity which characterized it was the heart of Americanism in it. It was, at least, what we could so perfectly understand that, in any moment of hesitation concerning this or that fact of it, we could say to ourselves that it must be right because Hay did it. With those who were his contemporaries, there will always remain a regret that he did not take the popular way, so that he might have stood at his journey's end with the three or four of our Presidents who were also our greatest men.

W. D. Howells.

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THE LEGEND OF THE STANDARD OIL COMPANY.

BY GILBERT HOLLAND MONTAGUE.

I.

No business organization, since the second United States Bank expired during President Jackson's second administration, has laid so firm a hold upon the public imagination as the Standard Oil Company. In the ferment of popular opinion regarding this company, sympathy for its weaker rivals who have succumbed to its competition, rumors of sharp practice circulated by its competitors, and prejudice against its conspicuously large aggregation of capital and ability have all so interpenetrated the facts of its career that a trustworthy history of the Standard Oil Company is to-day as well-nigh impossible as a true English biography of Napoleon Bonaparte would have been in 1803. A contemporary biography of Napoleon, notwithstanding its inaccuracy and unseasoned judgment, would nevertheless be valuable to-day as expressing a phase of the Napoleonic legend. By the same token, "The History of the Standard Oil Company,"* in which Miss Ida M. Tarbell has interestingly combined fact, rumor, common reputation and current fiction concerning the Standard Oil Company, is important as stating in popular version the present phase of the legend of the Standard Oil Company.

Before the organization, in 1870, of the Standard Oil Company, the refining business and oil traffic of Cleveland, Ohio, was in a precarious situation. To quote the general manager of the Lake Shore Railroad:

"It was publicly proclaimed in the public print in Oil City, Titusville and other places, that Cleveland was to be wiped out as a refining

* "The History of the Standard Oil Company," by Ida M. Tarbell: two volumes: McClure, Phillips & Co.: 1904. Except when otherwise indicated, the foot-notes of this article refer to volume and page of this book.

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centre as with a sponge, and without exception the oil-refiners of Cleveland came to affiant as representative of transportation, and with a single exception expressed their fear that they would have either to abandon their business here or move to Titusville or other points in the oil region; the only exception to this decision was that offered by Rockefeller, Andrews & Flagler, who, on its assurance that the Lake Shore Railroad could and would handle oil as cheaply as the Pennsylvania Company, proposed to stand their ground at Cleveland and fight it out on that line."*

Accordingly, Mr. Rockefeller's firm was given a rebate. The reason for the rebate, which Miss Tarbell omits in her narrative, was that this firm guaranteed a regular quantity of monthly shipments; and a similar arrangement "was at all times open to any and all parties who would secure or guarantee a like amount of traffic."†

Shortly after the Standard Oil Company was organized, several refiners, not identified with the company, together with certain railway officials, proposed to the new company the plan of combining and securing from the railroads special rebates on their own shipments and drawbacks on those of other refiners.‡ In general outline, the contract proposed was similar to those subsequently made by the railroads with the grain-elevator owners in the Northwest and with the cattle-shippers of Chicago. Throughout the seventies and early eighties, it was the policy of the railroads to bind to themselves growing businesses in which, as in the elevator and refining industries, large capital and considerable enterprise were necessary to success, and, by granting to these concerns special rates, to build up trade for these businesses and traffic for themselves. By this form of personal discrimination, the railroads entering New York had built up traffic for themselves and business for A. T. Stewart during the years of his competition in the Middle West with Field, Leiter & Company, of Chicago. Wherever competition for traffic was keen, the railroads either contracted with the strongest group of shippers to carry freight at a special rate, or, as in the case of large cattle-shippers in Chicago, appointed the group to be the "evener": that is, required it to apportion traffic among the roads according to a fixed ratio in return for a special rebate and a drawback on

* Appendix Number 3: I, 277. † Appendix Number 3: I, 279. ‡ I, 55.

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the entire traffic. Several officers of the Standard Oil Company accepted the plan proposed by the refiners and the railway officials and became stockholders in the South Improvement Company, which signed the "evening" contracts with the railroads. When the terms of these contracts were published, however, public opinion was so aroused that the contracts were cancelled before they became operative. The South Improvement Company was abandoned before it began to carry on any business.

The continuity between the plan of the South Improvement Company and the accomplished success of the Standard Oil Company, rests upon slender evidence. Upon comparing the recent charter of the Standard Oil Company of New Jersey with the broadly phrased powers of the South Improvement Company granted by the Pennsylvania legislature, in 1871, Miss Tarbell announces that the Standard Oil Company of to-day is essentially a realization of the abandoned plan of the South Improvement Company.* Neither charter contains powers greater than those commonly granted at the respective dates of their creation; and Miss Tarbell's naïve assumption that the charter provisions are an unexaggerated description of the actual corporate activities is amusing rather than misleading. The facts recorded by Miss Tarbell, moreover, show an abandonment of the plan of the South Improvement Company. Shortly after the rising in the oil regions against the South Improvement Company, Mr. Rockefeller proposed the formation of an oil company in which any refiner might become a stockholder, which should direct the operation of the refineries of the entire country.† A few months later, Mr. Rockefeller became president of the National Refiners' Association, which included four-fifths of the refining interests of the country, membership in which was open to the remaining fifth. Furthermore, when the Petroleum Producers' Union, which included the bitterest opponents of the South Improvement Company, was organized for the purpose of restricting the production of crude petroleum and raising the price of oil, Mr. Rockefeller's association was the only purchaser that paid the price asked by the Union.‡ A more complete departure from the exclusive organization attempted in the South Improvement Company could not be conceived. In fact, as Miss Tarbell herself admits, it was

* II, 266–267. † I, 106. ‡ I, 120.

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only on condition of the abandonment of the plan of the South Improvement Company that Mr. J. J. Vandergrift, of Oil City, and Mr. John D. Archbold, of Titusville—men subsequently very prominent in the Standard Oil Company—at that time entered the National Refiners' Association.*

Conditions and principles of freight traffic, however, were not altered by the failure of the South Improvement Company. Very soon the large shippers, who could guarantee large and regular shipments and could threaten to ship by other routes, were granted rebates by the railroads. Upon whom must be laid the blame for renewing this practice, while the indignation against the South Improvement Company's contracts was still warm, it is impossible to tell. No one familiar with the forty years of long and painful effort by which the railroads have slowly freed themselves from this practice can imagine that a short local outbreak against the custom could have been sufficient to destroy it. Miss Tarbell declares, indeed, that oil rebates would have ceased in 1872 had not Mr. Rockefeller immediately revived them. But the first rebate that she records was granted scarcely two weeks subsequently to an opponent of the South Improvement Company, at the request of a member of the committee of independent refiners who had forced the cancellation of the South Improvement Company's contracts.† According to a statement of the rebates paid by the New York, Lake Erie & Western Railroad during 1873, upon which Miss Tarbell relies, $205,170.66 was paid to oil-shippers, of which this independent refiner received $188,127.78 and the Standard Oil Company received $469.11.‡ In a subsequent chapter, Miss Tarbell remarks upon Mr. Rockefeller's "lack of the sense of humor," as shown when he testified before the New York Senate Committee in 1888, "We have found repeated instances where other parties had secured more rates than we had."§ The lack of a quality more important than humor is shown in Miss Tarbell's disregard of the fact thus stated, contained in the very documents from which she quotes.

Between 1873 and 1877 railroad rates were affected by the organization of the pipe lines traversing the oil regions into five great systems. In 1874 a uniform schedule of charges was adopted by these systems. By the so-called "Rutter Circular," the freight

* I, 107. † I, 131. ‡ Appendix Number 20: I, 349. § II, 133.

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rates upon the railroads were readjusted and a rebate of 22 cents was allowed on all oil coming from the pipe-line systems.* Under this tariff, the refineries at Cleveland, by reason of their advantageous location in a competitive centre of railroad and water transportation, obtained rates to distant points equal to those enjoyed in the oil regions, and the geographical advantage of the oil regions, which Miss Tarbell assumes should have been decisive, was disregarded.† Viewed from the standpoint of the railroads, the conditions of competition rendered such an arrangement inevitable. Doubtless the arrangement would have proved lasting, had not the accusation of the Erie Railroad against the Pennsylvania Railroad, that the latter was granting secret discrimination to its own system of pipe lines, the Empire Transportation Company, led in 1875 to a repudiation of the agreement. All the pipe lines of the oil regions promptly allied themselves with one or another of the pipe-line systems and their allied railroads. The Erie and the New York Central railroads, entering the oil regions by connections from the north, depended entirely for their traffic upon the Standard Oil Company at Cleveland. In exchange for the guaranty that their oil traffic would not be diminished, these railroads willingly granted to the Standard Oil Company liberal discriminations. The contest for the oil traffic was further aggravated by the entrance of the Baltimore & Ohio Railroad into Chicago and a consequent rate war among the trunk lines. Freight charges from Chicago to New York fell ninety per cent. The New York Central and the Erie railroads lost millions, and the Baltimore & Ohio and the Pennsylvania railroads ceased to pay dividends. The struggle in the oil regions became a mere skirmish in a battle extending half across the continent. The Standard Oil Company, with its well-organized pipe-line system and its firm alliance with the Erie and the New York Central railroads, eventually proved superior; and on October 17, 1877, the Pennsylvania Railroad was obliged to abandon the struggle and to sign a contract which made the Standard Oil Company the "evener" to apportion between the New York Central, the Erie, the Baltimore & Ohio and the Pennsylvania railroads practically the entire transportation of oil east of Chicago.‡

* I, 141. † I, 143.

‡ I, 186–195; see also "The Rise and Progress of the Standard Oil Company," by G. H. Montague: pp. 44–65, and references cited.

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This chapter of railroad history, to which Miss Tarbell gives little prominence, contains the explanation of the present supremacy of the Standard Oil Company. After the National Refiners' Association had disbanded and before the contest between the railroads had begun, Mr. Rockefeller, in 1875, had organized and become president of another organization of refiners, called the Central Association. The membership of this association was apparently unlimited and the chief requirement was that each member, in exchange for stock in the Standard Oil Company, should lease his refinery to the association for a term of months.* In the rate war among the railroads, the Central Association occupied the enormously strategic position of controlling nine-tenths of the refining business of the country.† The dominance thus gained over the transportation situation firmly established the Standard Oil Company in its present supreme position.

Conditions of inevitable recurrence in the development of the oil-fields, which on several occasions have aroused the bitterest resentment against the Standard Oil Company, are well illustrated in the exploitation of the Bradford field in 1878. The analogy between the recent situation in Kansas and the outbreak over the "immediate shipment" rule in 1878 is so striking that Miss Tarbell's account of the crisis in the Bradford field is noteworthy.‡ Under ordinary conditions, the producer was allowed to run his oil into the United Pipe Line Company's pipes, and upon paying storage charges to keep it there for as long a time as he wished. During the year 1877, however, the daily output of oil increased from 2,000 to 8,451 barrels, and during the next six months of 1878 the daily output rose to over 18,000 barrels. The burden of taking care of this enormous increase fell upon the United Pipe Line Company. "One of the greatest construction feats the country has ever seen was put through in the years 1878, 1879 and 1880 in the Bradford oil-field by the Standard interests," says Miss Tarbell. "It was a wonderful illustration of the surpassing intelligence, energy and courage with which the Standard Oil Company attacks its problems." At the close of 1877 there was slightly more than two hundred thousand barrels of tankage in the Bradford field. By April, 1878, the tankage was increased to 1,152,028 barrels, and in November of that year 4,576,500 barrels

* I, 148. † I, 152. ‡ 1, 215–220.

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of tankage were up and building. In spite of these tremendous exertions of the United Pipe Line Company, the transportation facilities were inadequate. "There was but one way to prevent loss," Miss Tarbell declares, "shut down the wells and stop the drill; but this the producers refused to consider." In justice to the entire producing community which it served, the company could no longer allow producers to keep the oil in the company's pipe lines as long as they chose. Accordingly, orders were issued that no oil should be run unless it was sold for "immediate shipment": that is, that oil should be taken for shipment but not for storage. Meanwhile, the accumulation of oil in the producers' tanks continued to increase until it exceeded the capacity of the pipe lines to carry it. Such oil, when sold for "immediate shipment," brought less than the market price. The scarcity of tank cars at the pipe-line terminals added to the difficulties of transportation. Oil ran on the ground and the anger against the United Pipe Line Company grew. "Conscious that their own reckless drilling had brought on the trouble," says Miss Tarbell, "they cursed the Standard, and put down more wells!"

Like the Kansas oil-producers, the Petroleum Producers' Union in 1878 appealed to the State authorities. An investigation of the railroads and the United Pipe Line Company was commenced by the Secretary of Internal Affairs, and proceedings of *quo warranto* were begun against them. Meanwhile, the "Hepburn" Committee, of the New York legislature, appointed to investigate the New York railroads, turned its attention to the Standard Oil Company, and the Ohio legislature instituted an investigation. Mass meetings were held, processions paraded through Bradford, riotous demonstrations occurred before the United Pipe Line Company's offices, men were hanged in effigy and bodies of masked men marched through the streets groaning and hooting before the offices of the buyers.* In the height of the excitement, Mr. Rockefeller and eight of his associates were indicted for conspiracy. But the tide of enthusiasm soon turned. The suits against the transportation companies flagged. The evidence of discriminations was not entirely satisfactory and showed that at least one member of the prosecuting committee of the Petroleum Producers' Union had contracted for discriminatory rates.† The

* I, 224–229.

† "Report of the Industrial Commission, 1900," I, 476–479.

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trial of the hasty indictments of Mr. Rockefeller and his associates was postponed from time to time and eventually discontinued by the committee.* After pressing its extraordinary building operations for several months, the United Pipe Line Company was finally able to receive and store oil for future shipments, and the exasperating necessity of the "immediate shipment" order was removed.†

The history of the Standard Oil Company since 1880, as narrated by Miss Tarbell, is shortly told. The Tidewater Pipe Company, organized by independent oil interests, laid pipe lines from the Bradford field across the Alleghanies to a connection on the Reading Railroad. The Standard Oil Company, meanwhile, laid pipes from the oil regions to Cleveland, Buffalo and Pittsburg, its inland refining points, and was laying a seaboard pipe-line from the Bradford field to Bayonne, New Jersey. The officials of the Tidewater Company suggested to the Standard Oil Company a division of the business of transporting and refining oil;‡ and eventually, by what Miss Tarbell describes as "a legitimate method of getting into the company," Mr. Rockefeller bought a third of the Tidewater stock and effected an agreement between the Standard Oil Company and the Tidewater companies.§ In 1887, the independent oil-producers, desirous of raising the price of oil, approached the Standard Oil Company with an offer to shut down their producing wells a part or all of the time and to do no fresh drilling for a year. The proposition made to the Standard Oil Company was that the company should forego some of the profits which might accrue from the increasing price of the large stock of oil which it carried. "Here," says Miss Tarbell, "was a chance for Mr. Rockefeller to apply his theory of handling the oil-producers —conciliate them when possible." Accordingly, the Standard Oil Company agreed to sell to the independent association, before the "shut-down" commenced, five million barrels of oil at about the prevailing market price, and carry it for the association, so long as was desired, at the usual storage charge. The profit realized by the association through the advance in price was over twenty cents a barrel. By a similar arrangement the Standard Oil Company gave the profit upon one million barrels of oil to the workingmen thrown out of employment by the "shut-down."‖ Mean-

* I, 254. † I, 253. ‡ II, 22. § II, 23. ‖ II, 160.

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while, several independent refiners had combined with the producers and organized the Pure Oil Company and the United States Pipe Line Company, which to-day are successfully operated in competition with the Standard Oil Company. In 1890, the Standard Oil "Trust Agreement," which had centralized the control of the allied companies of the Standard Oil Company, was declared illegal by the Supreme Court of Ohio, and the "Trust" was accordingly dissolved. In 1899, the capital of the Standard Oil Company of New Jersey was increased to $110,000,000, the "trust certificates" outstanding and the assignments of legal title, which had been substituted for the retired certificates, were exchanged for stock, and into this new organization were combined the properties or the controlling stock of all the allied companies of the old Standard Oil "Trust."

II.

The essential facts of the development of the Standard Oil Company, as recorded by Miss Tarbell, have been set forth. The rumor, common reputation and current fiction concerning these facts, which Miss Tarbell has woven into her narrative, remain to be examined. This embroidery upon the fabric of plain truth consists of two sorts of material: first, episodes which have never been proved, but have been widely circulated, and are repeated by Miss Tarbell as uncontradicted evidence; second, episodes which have been shown to be without foundation, but which Miss Tarbell repeats in the belief, apparently, that even a statement proved untrue, if quoted widely enough, acquires the quality of evidence.

The political activity of the Standard Oil Company, as described by Miss Tarbell, belongs to the first category. The first bill to regulate commerce, introduced in Congress in 1876, Miss Tarbell declares, was squelched largely through the efforts of a member "indirectly interested in the Standard," Congressman H. B. Payne.* How "indirectly" Congressman Payne must have been interested in the company is shown by his own statement, accepted by Miss Tarbell, that his election to Congress in 1871 was opposed by the company.† How improbable is the statement that the bill was killed by the Standard Oil Company is shown by Miss Tarbell's own account of the incident: the

* II, 112. † II, 112.

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reckless accusations made before the Committee on Commerce, by an independent refiner called forth such convincing refutation from the railroads that the bill was dropped.* The election of Congressman Payne to the United States Senate in 1884, Miss Tarbell continues, was effected through large expenditures of money by Mr. Oliver Payne, son of the Congressman, and an officer of the Standard Oil Company. Relying solely upon "the popular feeling that the Standard Oil Company was using the legislative bodies of the country in its own interest," Miss Tarbell devotes seven pages to bribery charges against Senator Payne and to an effort to connect the Standard Oil Company with them. According to her own conclusions, "It was never proved that the Standard Oil Company had contributed a cent to his election. It was never proved that his seat was bought."† Furthermore, no act of his public or private life is adduced to support the imputation that he ever served the Standard Oil Company. If this evidence, which Miss Tarbell sets forth in full detail, is so unconvincing, what must the reader conclude as to the evidence supporting her naked assertions? "It was a matter of constant comment in Ohio, New York and Pennsylvania," Miss Tarbell declares, "that the Standard Oil Company was active in all elections, and that it 'stood in' with every ambitious young politician, that rarely did an able young lawyer get into office that was not retained by the Standard."‡ The silly impossibility of such a statement bears its own denial upon its face. Yet it is upon such "popular feeling" and "constant comment" and utter absence of proof that Miss Tarbell bases the accusation which she recently published in a sensational newspaper: "The Standard Oil Company not only has the railroads and the money. It has a great political machine organized for getting from State and Federal Government the kind of legislation and the kind of privileges which it wants."§

The famous charge, repeated "daily in Montana," as Miss Tarbell asserts,‖ that Mr. Rogers of the Standard Oil Company burned the refinery of a rival in Buffalo, is discussed in a chapter of twenty-three pages. The language of Miss Tarbell's account of

* I, 171. † II, 119. ‡ II, 112.

§ "New York American," February 27, 1905; third instalment of a series of articles on the "Crimes of the Standard Oil Trust," by Miss Ida M. Tarbell. ‖ II, 110.

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the affair is calculated to stir the reader as deeply as if the accusation were true, and so carefully chosen as to conceal all but entirely Miss Tarbell's genuine conviction that the charge is really unfounded. "As a matter of fact," concludes Miss Tarbell, "no refinery was burned in Buffalo, nor was it ever proved that Mr. Rogers knew anything of the attempts the Everests made to destroy Matthews' business." Notwithstanding her belief that the charge is not established, Miss Tarbell has crammed twenty-three pages with thrilling narrative and with imputations against the Standard Oil Company. But when she was provided with material which the Standard Oil Company considered evidence of a conspiracy on the part of Matthews and his counsel to extort money from Mr. Rogers and the Company, "it was not used," she naïvely explains, "because it was not thought it established the charge."* Having thus discarded all unproved statements that might favor the Standard Oil Company and printed all the unsupported statements that tended to discredit it, she concludes that the Buffalo case "shows to what lengths a hostile public will go in interpreting the acts of men whom it has come to believe are lawless and relentless in pursuing their own ends. The public, particularly the oil public, has always been willing to believe the worst of the Standard Oil Company."† Truly, any inadvertent statement of fact which might shock the belief of "a hostile public" has been successfully avoided in Miss Tarbell's narrative.

A similar arbitrariness in the choice of material appears in other incidents of Miss Tarbell's history. Readers of Henry D. Lloyd's "Wealth against Commonwealth" will remember a pathetic chapter, the material of which had "remained buried in the document room of the Court of Common Pleas of Cuyahoga County under the gathering dust of years," which told of the sale by a certain "Mrs. A——, a widow in Cleveland," of a refinery to the Standard Oil Company. This story Miss Tarbell, in her chapters on the Standard Oil Company in "McClure's Magazine," substantially reprinted. As told in the affidavit of "Mrs. A——," which Miss Tarbell has generously quoted, the refinery was first offered to the Standard Oil Company for $200,000 and eventually was sold for $79,000. After the sale was completed, "Mrs. A——" wrote to Mr. Rockefeller complaining of the bargain

* II, 107. † II, 110.

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and "threatening to make the transaction public," whereupon Mr. Rockefeller replied:*

"In view of what seems your present feelings, I now offer to restore to you the purchase made by us, you simply returning the amount of money which we have invested and leaving us as though no purchase had been made. Should you not desire to accept this proposal, I offer to you one hundred, two hundred, or three hundred shares of the stock at the same price that we paid for the same, with this addition, that we keep the property we are under engagement to pay into the treasury of the —— Oil Company an amount which, added to the amount already paid, would make a total of $100,000, and thereby make the shares $100 each.

"That you may not be compelled to hastily come to conclusion, I will leave open for three days these propositions for your acceptance or declination."

In her affidavit "Mrs. A——" declared: "I was so indignant over the offer being made at that late day, after my request for the stock having been made at the proper time, that I threw the letter into the fire and paid no further attention to it."† Miss Tarbell's conclusion follows:

"It is probably true, as Mr. Rockefeller states, that he could have reproduced Mrs. A——'s plant for $20,000; but the plant was but a small part of her assets. She owned one of the oldest lubricating oil refineries in the country, one with an enviable reputation for good work and fair dealing, and with a trade that had been paying an annual net income of from $30,000 to $40,000. It was this income for which Mr. Rockefeller paid $79,000; this income with the old and honorable name of the —— Oil Company, not a few stills and tanks and agitators."‡

Upon this episode Miss Tarbell bases her statement that "a proposal from Mr. Rockefeller was certainly regarded popularly as little better than a command to 'stand and deliver.'"§

In her history, published in book form, Miss Tarbell added to the story of "Mrs. A——," whose real name, it seems, is Mrs. Frederick M. Backus, a new element of accuracy by calling her "Mrs. B——"‖ It remained for another, however, to dig under the "gathering dust of years" and reveal the facts of this widely quoted episode. The affidavits that deal with the statements of Mrs. Backus were printed in full in the "Oil City Derrick" of February 18, 1905.

* "McClure's Magazine"; Vol. XX, 507. † Ibid., 507. ‡ Ibid., 508. § Ibid., 505. ‖ I, 203–207.

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The employee of the Backus Oil Company who conducted the negotiations for Mrs. Backus with the Standard Oil Company declared under oath that Mrs. Backus had consulted him concerning the advisability of retaining some stock or an interest in the business in case the sale was made, but suddenly abandoned the idea and declared that if she sold at all she desired to part with her entire interest. Thereupon he notified the Standard representative, "and the further negotiations were conducted with reference to that declination to take the stock." After the negotiations had been completed, she again changed her mind; but, "acting upon her previous refusal to take stock, such arrangements had been made with respect thereto as made it inconvenient to comply with her request." Instead of realizing only $79,000, as Miss Tarbell concludes, from Mrs. Backus's affidavits, was the case, the sworn statement of this employee, corroborated by that of the superintendent, is that from the purchase price and from the collection of outstanding accounts—which were not included in the sale—the Backus Oil Company netted upon the sale of its business $133,000, and that, at the time their affidavits were taken, a considerable part of its assets remained which had "not yet been converted into money." Why these affidavits, which were filed and kept with the affidavits from which Mr. Lloyd and Miss Tarbell quoted, should have been so completely ignored is difficult to understand. A more recent affidavit, printed in the same number of the "Derrick," is verified by Mr. Backus's brother, who had been a partner with Mr. Backus and an employee of the Oil Company after the latter's death. Since the "boom" years of refining, says Mr. Backus, when the annual profits once reached $30,000 or $40,000, profits had declined enormously, until at the time of the sale they were very small. Before negotiations were begun with the Standard Oil Company, Mrs. Backus had offered to sell all the assets of the business to several of her employees for $10,000 cash and $60,000 in securities, but the offer had not been accepted. Upon this same plant and accompanying assets, the Backus Oil Company realized by the sale to the Standard Oil Company and the subsequent collection of accounts about $160,000. As to Mr. Rockefeller's conduct in the matter, Mr. Backus corroborated the sworn statement of the representative of the Standard Oil Company who had negotiated with Mrs. Backus, saying that after a sum had been agreed upon as the

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proper price, Mr. Rockefeller had particularly requested that $10,000 be added to make a "round price" for the property. The matters discussed in these affidavits were not passed upon by the court in the decision of the case in which they were submitted. As they stand, therefore, they must each be considered quite as trustworthy as the affidavit, relied on by Mr. Lloyd and Miss Tarbell; and since all three unanimously contradict the unsupported testimony of a single witness, the preponderance of evidence overwhelmingly opposes Miss Tarbell's assertions of fact.

Failure to examine the evidence and careless disregard of facts that oppose common tradition are serious defects in a history. Writers upon the subject of the Standard Oil Company have fallen into the habit of repeating at length the accusations brought against the Standard Oil Company by Mr. George Rice, of Marietta, Ohio. Some of these accusations have been demonstrated in courts of law to be just. Others have been dismissed by the courts as unfounded, and still others have never been litigated and rest upon no other basis than the statement of Mr. Rice. Accusations of the latter sort, it is clear, must be weighed with reference to Mr. Rice's relation to the Standard Oil Company. Mr. Rice, in cross-examination in the case of Ohio *v.* Buckeye Pipe Line Co., admitted that he had offered to quit his attacks upon the Standard Oil Company in return for $250,000 for his plant and $50,000 for five years, and added that, several years before, he had offered to sell it for $25,000 and $5,000 for five years, and before that time had offered to sell it for $20,000.* The record of Mr. Rice was discussed by Mr. Justice Van Brunt in the opinion of the court in Rice *v.* Rockefeller in language which was substantially approved later by the Court of Appeals:

"Down to the time of the beginning of this action, the plaintiff had been uninterruptedly prosecuting, or aiding in prosecuting a series of litigation proceedings in the courts and before the Interstate Commerce Commission and before an investigating committee of Congress, for the purpose of securing, as he claims, from the railroad companies what he considers equal rights with said trust for the carrying of his products, and at the same time helping his own interests as a rival of said trust; and from time to time during a period of several years prior to the beginning of this action the plaintiff has offered to sell his refining property to the defendants as such trustees, and to retire from his position as a rival and competitor to the said trust upon the payment to him at first of

* "Report of the Industrial Commission, 1900," I, 562.

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the sum of $250,000 and subsequently of the sum of $500,000, both of said sums being greatly in excess of the true value of said property."*

In repeating the accusations of Mr. Rice against the Standard Oil Company, fairness to the reader should have impelled Miss Tarbell to add such information regarding the accuser as might permit a proper allowance to be made in the interests of accuracy.

In imputing a falsehood to Mr. Rockefeller, mere respect for truth should have been sufficient to restrain her from misquoting her evidence. "When before the New York Senate Committee," Miss Tarbell asserts, "Mr. Rockefeller was asked if he was not a member of the South Improvement Company. 'I was not,' he replied."† This statement Miss Tarbell declares to be contrary to the "well-known fact," and inconsistent with later statements of Mr. Rockefeller.‡ If Miss Tarbell had not suppressed that part of the colloquy which immediately precedes the testimony which she quotes,§ her readers could themselves see that Mr. Rockefeller was never asked if he was a member of the South Improvement Company. Mr. Rockefeller was asked if he was not a member of "a trust company called the Southern Improvement Company."‖ As he indicated in his reply, such a company existed.¶ It was a totally different corporation, however, from the South Improvement Company.** It bore no relation to the latter, and Mr. Rockefeller was never in any way interested in it. The imputation that he sought to conceal his connection with the South Improvement Company is further refuted by his frank testimony before the Congressional Committee scarcely two months later, in which, as Miss Tarbell states, he named himself in his enumeration of the directors of the company.†† Miss Tarbell's own narrative, therefore, as well as the records on which she relies, disproves the charges of falsehood which she makes against Mr. Rockefeller.

The relation of the Standard Oil Company to the retail trade and to the consumer, which to-day is the most vital phase of the

* 56 Hun (N. Y.), 519. † II, 138. ‡ II, 132, 138. § II, 132.

‖ Report on Investigation Relative to Trusts, New York Senate, 1888; page 419.

¶ The Southern Improvement Company was incorporated April 16, 1870, by the Legislature of Pennsylvania: Laws of Pennsylvania, 1870, page 1227.

** The South Improvement Company was incorporated January 6, 1871; Laws of Pennsylvania, 1872, page 1278.

†† II, 138.

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company's activity, is treated in several chapters. Miss Tarbell concludes that, since 1880, experience "seems to have convinced Mr. Rockefeller and his colleagues at last that, however great the fun and profit of making oil very dear, in the long run it does not pay."* In the marketing of its product, the company attends carefully to the conditions of competition in every market. "In later years," says Miss Tarbell, "the Standard has been more cautious about beginning underselling than formerly, though if a rival offered oil at a less price than it had been getting—and generally even small refineries can contrive to sell below the non-competitive prices of the Standard—it does not hesitate to drop its prices and keep them down until the rival is out of the way."† Independent refiners have frequently declared that the details of their business were told by their own clerks, or by clerks in freight-offices, to the Standard Oil Company. "But, while the proofs the independents have offered of their charges," says Miss Tarbell, "show that such leaks have occurred at intervals all over the country, they do not show anything like a regular system of collecting information through this channel. From the evidence, one would be justified in believing that the cases were rare, occurring only when a not over-nice Standard manager got into hot competition with a rival and prevailed on a freight-agent to give him information to help in his fight."‡ Miss Tarbell adds, however, that she has come into possession of "a large mass of documents" tending to show that the Standard Oil Company receives regularly from certain railroads and steamship lines reports on all oil shipped;§ but what these documentary reports are and what they tend to prove cannot be determined, for Miss Tarbell has merely made passing reference to them.

Vagueness and incomplete statement of evidence thus mar Miss Tarbell's treatment of the most important aspects of the history of the Standard Oil Company. By a partisan choice of authorities and an exaggerated emphasis upon the dramatic phases of the narrative, the historical facts have been dressed in the motley of popular legend. As a piece of historical writing, the work is valuable for little more than the reprints of original documents contained in its generous Appendices. Had Miss Tarbell been content merely to suffuse history with emotion, as

* II, 206. † II, 61. ‡ II, 40. § II, 40.

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Augustin Thierry brightened the events of the Merovingian dynasty, her work might fairly be called history. But when to dramatized history she added all the fiction that the popular imagination has conceived regarding the Standard Oil Company, she assumed to be a mere gatherer of modern folk-lore. So far as she shows the psychological condition of that portion of the community which assigns mythical attributes to the Standard Oil Company, Miss Tarbell's statement of the legend of the Standard Oil Company has indeed a value. Such a value, however, must be less than would be the value of an accurate statement of the historical facts around which the remarkable superstition has grown.

GILBERT HOLLAND MONTAGUE.

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OUR CHINESE TREATIES; AND LEGISLATION; AND THEIR ENFORCEMENT.

BY STEPHEN W. NICKERSON, IMPERIAL CHINESE CONSUL AT BOSTON, MASSACHUSETTS.

To understand properly the present attitude of the Imperial Chinese Government and of intelligent Chinese as to commercial and other relations in the future between China and the United States, we must review the history of the past relations of the two countries, by glancing at the treaties that have been made, and by examining the legal status of Chinese persons as to citizenship and residence in the United States; next, we must look at the legislation by Congress affecting these treaties, and the Chinese within our borders; then we must pay some attention to the regulations made by administrative officers, by authority of Congress, relating to the exclusion of the Chinese; and, finally, some of the judicial decisions about the exclusion laws and the regulations, made by the Supreme Court, should be considered.

I. The treaties made.—The first treaty, made in 1844, contained mutual declarations of peace and friendship, with stipulations about commercial intercourse at certain Chinese ports and for protection for Americans while peaceably attending to their affairs in China. The second treaty, made in 1858, reiterated the pledges of peace and amity between the two nations. But neither of these two treaties touched upon the migration and immigration of the citizens and subjects of the two nations.

The third treaty—that of 1868, known as the "Burlingame treaty"—by its Article V cordially recognized:

"the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and immigration of their citizens and subjects from the one country to the other for purposes of curiosity, of trade, or as permanent residents."

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Article VI provided that:

"Citizens of the United States visiting or residing in China shall enjoy the same privileges, immunities or exemptions in respect of travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation. And, reciprocally, Chinese subjects residing in the United States shall enjoy the same privileges, immunities and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation."

The fourth treaty, known as the "Supplementary Treaty," of November 17, 1880, by its Article I provided that:

"Whenever, in the opinion of the Government of the United States, the coming of Chinese laborers to the United States, or their residence therein, affects, or threatens to affect the interests of that country, or to endanger the good order of the said country or of any locality within the territory thereof, ... the Government of the United States may regulate, limit or suspend such coming or residence, but may not absolutely prohibit it. The limitation or suspension shall be reasonable, and shall apply only to Chinese who may go to the United States as laborers, other classes not being included in the limitations. Legislation taken in regard to Chinese laborers will be of such a character only as is necessary to enforce the regulation, limitation or suspension of immigration, and immigrants shall not be subject to personal maltreatment or abuse."

Its Article II declares that:

"Chinese subjects, whether proceeding to the United States as teachers, students, merchants or from curiosity, together with their body and household servants, and Chinese laborers who are now in the United States, shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights, privileges, immunities and exemptions which are accorded to the citizens and subjects of the most favored nation."

The fifth treaty, that of December 8, 1894, agreed that, "for a period of ten years, beginning with the date of the exchange of the ratification of this Convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States shall be absolutely prohibited." Its Article III continued the rights of the privileged classes of coming to and residing in the United States. Its Article IV gave to all Chinese, even laborers, "for the protection of their persons and property all rights that are given by the laws of the United States to citizens of the most favored nation, excepting the right to become naturalized citizens." This treaty was terminated by China at

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the expiration of ten years, in accordance with terms of its Article VI applicable to both countries.

The sixth treaty was signed at Shanghai on October 8th, 1903, the ratifications being exchanged at Washington on January 13, 1904, and was designed to "extend further the commercial relations between 'the United States and China,'" and otherwise to promote the interests of the peoples of the two countries. By its Article IV, the Chinese Government undertook to abolish the system of taxation known as "*likin,*" on a date to be agreed upon, when the provisions of that article had been accepted by the Powers having treaties with China. Article V fixes the tariff duties to be paid by citizens of the United States on goods imported into China, as set forth in the schedule annexed to the treaty; and provides that citizens of the United States are at no time to pay other or higher duties than those paid by the citizens or subjects of the most favored nation, and that Chinese subjects are not to pay higher duties on their imports into the United States than those paid by the citizens or subjects of the most favored nation. A number of other very valuable and important provisions are contained in this treaty, which we have not space to enumerate, the agreement on the part of the Chinese Government to establish a system for the protection of trademarks, copyrights and patents being of the number.

II. Status of Chinese in the United States.—The first question to arise, when considering the status of persons of Chinese descent in the United States, is whether such persons can be American citizens. The answer is: Yes, by birth here; but not by naturalization. In the case of Wong Kim Ark (169 U. S.), a majority of six of eight sitting Supreme Court Justices decided that:

> "A child born in the United States, of parents of Chinese descent, who at the time of his birth are subjects of the Emperor of China, but have a permanent domicile and residence in the United States, and are there carrying on business, and are not employed in any diplomatic or official capacity under the Emperor of China, becomes at the time of his birth a citizen of the United States, by virtue of the first clause of the XIVth Amendment of the Constitution, which says that 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.'"

Chinese persons born in China cannot be naturalized, like white or African aliens, by proceedings under the naturalization laws.

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This is for want of any statute or treaty authorizing or permitting such naturalization. And, indeed, by the treaty between the United States and China, made in 1868 and promulgated in 1870, the Burlingame treaty above mentioned, it appears that "nothing herein contained shall be held to confer naturalization upon citizens of the United States in China, nor upon the subjects of China in the United States."

Only whites could be naturalized, until later in the year 1870, when Congress for the first time extended the naturalization laws "to aliens of African nativity and to persons of African descent." This extension, as embodied in the Revised Statutes, took the form of providing that those laws should "apply to aliens, being free white persons, and to aliens of African nativity, and to persons of African descent."

Moreover, the Act of 1882 expressly provided that "hereafter no State Courts, or Courts of the United States, shall admit Chinese to citizenship." In the case of Fong Yue Ting, the Supreme Court said: "Chinese persons not born in this country have never been recognized as citizens of the United States, nor authorized to become such under the naturalization laws."

The next question arising as to Chinese persons is: Can they be excluded or expelled at will by the United States? The answer is: Yes, subject to certain exceptions. So a majority of the Supreme Court decided in the case of Fong Yue Ting. Six of the nine Justices thought that, under the Acts of Congress known as the "Chinese Exclusion Acts," the United States has rightfully exercised the power to exclude and to expel from this country Chinese persons, born in China and still subjects of the Emperor, and persons of Chinese descent, wherever born, owing allegiance to whatever Government, and this despite the acquisition by such persons of a commercial domicile here, for reasons applicable to all aliens, and inapplicable to citizens of any race or color.

Thus it was said by the Supreme Court that the right to exclude or to expel all aliens, or any class of aliens, absolutely or conditionally, is an inherent, inalienable right of every sovereign and independent nation; that the power, being a power affecting international relations, is vested in the political departments of the United States Government, and is to be regulated by treaty, or by Act of Congress; and that the power to exclude and the power to expel are but parts of one and the same power.

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This case was decided correctly so far as the power *to exclude* is concerned; but the powerful reasoning of the three dissenting Justices seems to throw doubt on the power *to expel*. Justice Brewer dissented, and spoke of the facts that a Chinese person, arrested in one district, may be taken to another district, as has been done, and put upon his examination at a great distance from his residence, and that the Act made no provision to enable him to compel the attendance of witnesses. Justice Field, also dissenting, asked: "What assurance have we that it [Congress] may not declare that naturalized citizens of a particular country in the United States, after a certain day, unless they have in their possession a certificate, etc.," may be expelled? Chief-Justice Fuller, also dissenting, said: "It [the Act of 1892] contains within it the germs of the assertion of an unlimited and arbitrary power, in general, incompatible with the immutable principles of justice, inconsistent with the nature of our Government, and in conflict with the written Constitution by which that Government was created and its principles secured."

III. Legislation.—We come next to the legislation by Congress affecting the Chinese treaties and the Chinese. In 1882, Congress passed an Act, entitled "An Act to execute certain treaty stipulations relating to Chinese." The treaty meant was that of 1880—a treaty unwillingly made on the part of China—which, we have seen, expressly states that the *limitation* of Chinese immigration "shall be reasonable, and shall apply only to Chinese who may come to the United States as laborers, other classes not being included in the limitation," for such are the words of the solemn treaty. This Act of 1882, among other things, executed the treaty *by entirely forbidding*, for ten years, any Chinese laborer to come to the United States, or having come, to remain here. It provided that laborers already in the country might go to China and return only after obtaining certain certificates of identification from collectors of customs; and that the privileged classes under the treaty—teachers, students, merchants, etc.,—must obtain certificates of identification from the Chinese Government in the English language, or accompanied (if in Chinese) by an English translation, containing many requirements; it also provided for the deportation of any Chinese person found unlawfully here.

An Act was passed in 1884 to amend (*i. e.*, to make more harsh) the Act of 1882; it also forbade any Chinese laborer to

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come into the United States for ten years. Both Acts bore heavily against the Chinese, the latter Act being made applicable to all subjects of China and every Chinese person, whether subjects of China or of any other foreign Power; and the word "laborers," by the terms of the 1884 Act, was made to include both skilled and unskilled laborers, as well as miners. The certificates of returning laborers, and the certificates required of the privileged classes, were made the sole evidence of their rights, respectively, to return and to enter.

In September, 1888, Congress passed "An Act to prohibit the coming of Chinese laborers to the United States." It narrowed down the return of laborers to those who left wife, child or parent in the United States, or property or debts due them therein to the amount of one thousand dollars, besides increasing the requirements of the return certificates.

In October, 1888, Congress passed an Act, supplementary to the Act of 1882, which "executed" the treaties then in force with a vengeance, *by entirely prohibiting the return of all Chinese laborers to the United States, and by explicitly declaring void and of no effect the return certificates already granted under the Act of 1882.* No more return certificates could thereafter be given, no Chinese laborer could thereafter lawfully return; and even American citizens of Chinese descent, born here, were excluded under this Act, which remained in force until the treaty of 1894 came into effect. Let it be remembered that the treaty then existing forbade the United States to *prohibit* the coming of Chinese.

The next Act—that of May, 1892—was entitled "An Act to *prohibit* the coming of Chinese persons into the United States." It made still more rigorous the legislation then existing, for it laid the burden of proof upon the Chinese—*i. e.,* it presumed them guilty—a presumption contrary to the common law; it ordered that a Chinese person convicted and adjudged to be not lawfully entitled to be or remain in the United States should be *imprisoned at hard labor* for a period not exceeding one year, and thereafter deported from the United States; it enacted that on an application by a Chinese person seeking to land in the United States, to whom that privilege had been denied, for a writ of *habeas corpus,* no bail should be allowed; it commanded all Chinese laborers within the limits of the United States at the time to apply to the Collectors of Internal Revenue within a year

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for a certificate of residence, and made it the duty of United States officials to arrest and deport laborers without such certificates, unless they could establish to the satisfaction of a judge, by at least one credible white witness, certain facts difficult to prove as an excuse. It authorized the Secretary of the Treasury to make rules and regulations for the efficient execution of this Act; and that official made some rules and regulations that certainly did not lighten the incidence of any of the legislation upon the Chinese, whether laborers or of the privileged classes.

In November, 1893, Congress passed some more anti-Chinese legislation, in the form of an Act to amend (make more rigorous) the Act of 1892; for, by the definition of the word "laborer," Congress included with skilled and unskilled manual laborers and miners, fishermen, hucksters, peddlers, laundrymen, and those engaged in taking, drying, or otherwise preserving shell or other fish. The Chinese word in the Chinese copy of the treaties meaning "laborers" justified no such interpretation.

A returning merchant, to enter the country thereafter, had to establish, by two credible *witnesses other than Chinese,* certain facts difficult of proof, or be refused entrance. Orders of deportation of all classes of men were to be executed by holding the prisoners in the custody of the United States Marshal *without bail,* until deportation actually took place. Many poor Chinamen, not all laborers by any means, have languished in jail for months at a time under this provision of the law.

In August, 1894, Congress legislated that an alien (this included Chinese, of course), excluded from admission to the United States under any law or treaty then existing, or thereafter made, by the decision of an Immigration or Customs officer, had only an appeal to the Secretary of the Treasury. This meant that the decision of a single minor United States official was final, unless the busy Secretary of the Treasury, away off in Washington, should reverse it.

By joint resolution in 1898, Congress forbade further immigration of Chinese into the Hawaiian Islands, and forbade Chinese to enter the United States from the Hawaiian Islands.

In June, 1900, the Commissioner-General of Immigration was put in charge of the administration of the Chinese Exclusion Law, under the supervision and direction of the Secretary of the Treasury. This, the writer thinks, was wise.

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In March, 1901, Congress passed an Act supplementary to the prohibiting Act of 1892, which provided:

"That no warrant or arrest for violations of the Chinese-exclusion laws shall be issued by United States commissioners, excepting upon the sworn complaint of a United States district attorney, assistant United States district attorney, collector or inspector of customs, immigration inspector, United States marshal, or deputy United States marshal, or Chinese inspector, unless the issuing of such warrant of arrest shall first be approved or requested in writing by the United States district attorney of the district in which issued."

How this law has been obeyed by United States officials, and how carefully the spirit of it has been observed, is plain from the fact that, on a Sunday evening in October, 1903, about three hundred Chinamen were dragged from their homes, restaurants, club-rooms and shops, in the city of Boston, Massachusetts, by police under the control of United States Chinese Inspectors under the orders of the Immigration Commissioner of the port, arrested and imprisoned in the Federal Building—and all without any warrant at all, unless one or two warrants first issued can be said to have justified the proceeding. The next day, warrants were sworn out for the men the officials dared to hold—about one hundred in number. A United States District Judge surprised the able counsel who took the matter before him on behalf of the Chinese by deciding that this raid was lawful, and that the arrests were lawful, though without warrants for all but possibly two of the arrested persons, although Article IV of the treaty of 1894 was then still in force. Let it be remembered that Chinese persons were at the time entitled by treaty to the protection of the United States; and that Section 1977 of the United States Revised Statutes said that "all persons within the jurisdiction of the United States shall have the same right . . . to the full and equal benefit of all laws and proceedings for the security of persons and property, as is enjoyed by white citizens, and shall be subject to like punishments, pains, penalties, taxes, licenses and executions of every kind, and to no other."

Would the judge in question have decided that such proceedings were legal, if three hundred British or German subjects or French citizens had been raided and arrested without warrants?

In April, 1902, Congress passed another Act "to prohibit the coming into, and to regulate the residence within, the United

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States" of Chinese and persons of Chinese descent. This Act continued in force the anti-Chinese laws then in existence, "so far as the same are not inconsistent with treaty obligations." It transferred all the power possessed by the Secretary of the Treasury under the Chinese laws to the Secretary of Commerce and Labor for the future, the Commissioner-General of Immigration becoming a subordinate also of the latter Secretary.

IV. Regulations by administrative officers.—Some new and much more drastic regulations were made by the new Secretary in July, 1903. Some of the enormities which can be legally perpetrated under these regulations were pointed out in this REVIEW, in the number for March, 1904, by Mr. Wong Kai Kah, the Deputy Commissioner of the Imperial Chinese Government to the late Louisiana Exposition at St. Louis, Missouri. The limits of this article forbid any attempt here to discuss them.

V. Judicial decisions.—We turn now to the consideration of a few of the decisions of the United States Supreme Court bearing upon the Chinese. In the recent case of the United States *vs.* Sing Tuck (194 U. S.), a majority of the Justices of the Supreme Court decided that the petition, by Chinamen, for a writ of *habeas corpus* in order to regain their liberty, ought not be entertained, the case being one in which certain persons of Chinese descent who sought to enter this country had been detained at the border by a Chinese Inspector. The Chinamen in question claimed to be native-born and asserted American citizenship. The majority of the Court said that the Act of August 18, 1894, gave the executive officers in the case (Chinese Inspectors and Inspectors of Immigration) the right to determine the question of citizenship; and that, because in this case the adverse decision had not been reversed on appeal to the Secretary, the writ of *habeas corpus* would not lie.

Justice Brewer, in his dissenting opinion, reminds the majority of the Court that it had previously described American citizenship as an "inestimable heritage." He criticises the opinion of the majority in admirable words, and evidently believes that the nature and theory of our Government, and the principles upon which it ought to rest, do not leave room for the exercise of purely personal and arbitrary power. Amongst other things, he says: "I never supposed that Courts could deny a party a hearing on the ground that they did not believe it probable that he could

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establish the claim which he makes." The Apostle Paul was permitted to appeal to Cæsar.

In the Japanese Immigrant case (189 U. S.), a majority of the Court—the same Justices, Brewer and Peckham, dissenting—had previously denied a writ of *habeas corpus* in the case of a woman about to be deported, after arrest and imprisonment, by the decision of a single minor executive official, although the poor creature was entirely ignorant of the English language, was unaware of the nature of the proceedings against her, and had had no opportunity to be heard. Of course, this decision under the immigration laws foreshadowed the Sing Tuck decision above mentioned.

But, in the case of the United States *vs.* Ju Toy, decided May 8th last, a majority of the Court held (the Japanese case being used as a precedent) that a Chinese person who alleged he was a native-born American citizen, and who had just been decided to be such a citizen by a United States District Court, was not entitled to a writ of *habeas corpus* to regain his liberty and his country, because immigration officials had previously decided he was not a citizen. In this case, the majority did not have an excuse for refusing the writ such as they had in the Sing Tuck case, for an appeal had previously been made to the Secretary of Commerce and Labor from the Immigration official's denial of the right to enter. Mr. Justice Brewer dissented, in an opinion that every lover of liberty should read, and Justices Peckham and Day joined in the dissent.

Summary.—This hasty review of the treaties, legislation and of certain judicial opinions affecting the Chinese, shows that the United States Government by the Burlingame Treaty of 1868 virtually invited the Chinese to come to this country; that the invitation may be said to have been recalled by the treaty of 1880; that all subsequent legislation has been in derogation of Chinese treaty rights, much of it being deliberate violations thereof; and that the decisions of the United States Supreme Court have progressed in their harsh interpretation of the rights of persons of Chinese descent, until the last decision of the majority of that body is a grave menace to the liberty of native-born white American citizens.

STEPHEN WESTCOTT NICKERSON.

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THE MENACE OF MORMONISM.

BY SHELBY M. CULLOM, UNITED STATES SENATOR FROM ILLINOIS.

MORMONISM, as a menace, has recently elicited frequent and very general discussion, which has too often been based on incorrect premises or on insufficient information, and the result has been opinions so much at variance as to suggest more of the weakness of overreaching agitation than the strength of defined conviction. It is always difficult to restrict oneself to the strait and narrow way of justice, however earnest the intentions; but, in the present case, the diversity would indicate that very few have even so much as found it. This is not a desirable condition; for the extermination of evil cannot be effected or a subverted sentiment reconstructed, nor can apprehension or proper justice be brought to bear upon instigators of error and promoters of malevolent influences, without unity of purpose, accuracy and intelligent design. Napoleon lost Waterloo by relying upon false information. Many a fight has failed for lack of concentration.

Truth may hide in the shadow of the anonymous, but it is apt to be a truth which is intended more for injury than justice, and it is seldom creditable. The object of contumely often gathers strength instead of falling. In the multitude of counsel there is wisdom, but in even concerted vituperation there are only weakness, confusion and abortive energy.

To reduce a consideration of the subject to its simplest and most direct form, let me, without apostasy, propound the question: "Is Mormonism a menace?" Apparently, this is still an open question, but assuredly it is one upon which there should be more uniformity of opinion and less sentimental agitation, if any real benefit is to be gained. And if it is a question worthy of being thus universally mooted, it becomes the duty of loyal citizens to study it till they arrive at trustworthy and legitimate conclusions,

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and are prepared to enforce these conclusions, before the menace, if menace there be, grows in the power and possibility of mischief, beyond the reach of reasonable reformation.

It is an axiom, fundamental to the matter, that it would be impossible to overestimate the danger to a republic of a tendency, either public or private, religious, judicial, communal or individual, to set at defiance, or even to evade or ignore, the laws of the land under which the perpetrators claim protection. It is the people who, through their agents, are directly responsible for the enactment of the laws. It is the people, through their agents, who are responsible for the enforcement of the laws. It is the people, whether as individuals, organizations, legal tribunals or communities, who evade or defy the laws, and the kingdom divided against itself cannot stand. Much less can a republic stand uninjured by such an internal condition, however small or remote the centre of evil influence may be.

There is no excuse for the man, the corporation, the community or the court that would set aside the laws of the land, either by ignoring or defying them. When a law conflicts with conscience or with inclination two ways are always open for relief. If the disparagement is general, the law can be changed. If it is individual, then the individual can move away from under it. There is nothing which can justify the deliberate and persistent breaking of any law, and a tendency to attempt to do so is a grave menace to the prosperity and integrity of all who are associated, even remotely, with the wrong-doers.

The Committee of the United States Senate, which has recently occupied much time in its investigation of a subject bordering upon this, has elicited valuable information, and also a large amount of garbled or imaginary matter which later evidence has proven to be untrue; while indirectly it has instigated many statements in the public press, contradictory and confusing, producing a most unsatisfactory state of the public mind, especially when it attends an effort to induce reformation. Besides, the question at issue in the hands of the Senate Committee is one which will be dealt with in the Committee and in the Senate, according to such light as has been available bearing directly upon a limited problem. It has been incorrectly construed as reaching out to encompass the entire matter. In reality, the final conclusion of the question at issue need not, of necessity, solve, or even materi-

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ally influence, the general problem before us. The menace of Mormonism is abstract and ulterior. It must be considered and dealt with upon its individual merits. No one can deny that there was a time, at least, when Mormonism was a grave and serious menace to this country. Two of the cardinal features of its promulgation were a disgrace and a danger to the integrity of any community in which they were factors. I refer, of course, to polygamy and hierarchy, as perpetrated in the early Mormon Church, which, with their natural outgrowths, constituted the serious menace of Mormonism. I am ready to accept the statements that outside of these influences there is much that is vigorous, energizing and commendable in the general conditions engendered by the Mormon system; but, so far as these two elements exist to-day, so far—though perhaps not so seriously as years ago—Mormonism is the same menace to this country that it was in the beginning.

Statistical evidence shows that the *practice* of polygamy is decreasing. It is apparently dying out. Many assertions have also been made, some under oath, that the *principle* of polygamy is already dead. But it has been freely admitted that, to a limited extent, at least, polygamous lives are still lived among the Mormons, obviously justified by the Church, since the First President acknowledges himself an active polygamist; winked at by society and ignored by courts of justice on account of certain extenuating circumstances. Now, circumstances may extenuate many things between individuals, and it is possible, I suppose, that, in the present peculiar conditions, there are some who honestly consider that the extenuating circumstances are sufficient to mitigate the malevolent influence of setting law at defiance. As between individuals this may be true; but, so far as any law of the land is being set aside, defied, under cover and protection of Mormonism, Mormonism itself is a menace, regardless of any or all mitigating and extenuating circumstances.

Polygamy, in the abstract, as it presents itself in Utah to-day, may not be the serious element in the influence Mormonism exerts which it was forty, or even ten, years ago, but the disregard of law is no less offensive now than then. If the principle of polygamy is really dead, the rapidly decreasing practice will soon follow it into oblivion. But is the principle really dead?

In various official spheres, during the past half-century, I have

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been involved in fighting the evils of Mormonism. I had the honor—and, as Mormonism used to be, I consider it a signal honor—of preparing the first anti-Mormon bill ever presented to a legislature. The Mormons had been bidding for a foundation in Illinois, and we had sent them, bag and baggage, after the Star of Empire. While I was Speaker of the Illinois House of Representatives and Governor of Illinois, the question came up in various ways; and in the National House of Representatives, while I was Chairman of the Committee on Territories, we framed an anti-polygamy territorial act for the restriction of Utah. Throughout, my opinions have been as strong as I could hold them, and have only changed in forty years so far as I have been led to believe that the ethics of Mormonism had really changed, on the two vital issues which, to my mind, constitute the menace of Mormonism.

In the early days, Brigham Young constituted the Mormon Church, temporal, spiritual and material. He was the prophet, the priest, the seer, the revelator, the First President, the treasurer and trustee of the Church of Latter-day Saints. In one of his sermons, I remember, he said:

"I never yet preached a sermon and sent it out to the children of men that they may not call Scripture. Let me have the privilege of correcting a sermon and it is as good Scripture as they deserve." I presume that the great mass of his hearers believed that he spoke to them from God, and it is easy to understand how such a man at the head of such a Church must make it a menace. There was nothing doubtful about the proposition then, but it is now earnestly asserted that the objectionable features of the old régime have been abandoned; and lest that be true, before we form a judgment for to-day, we should be satisfied just how much the conditions have really changed; how materially the sentiment and the institution have been, not merely temporarily modified to the demands of the moment or the temper of the revelator, but radically reformed. If the reconstruction claimed has been thorough and is perpetual, then much of the menace of Mormonism has been removed. Polygamy alone, to-day, is not a menace of the gravest importance; for, though it is contemptible and demoralizing, it is a practice so deprecated by and abhorrent to all right minds and all sense of integrity in the civilized world that, Church or no Church, it must, of necessity,

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die of its own shame the moment that it comes in contact with clean theories and modern lives. It could never have held out against the higher sentiments of humanity, even under the shadow of its Endowment House, when railways created intercourse and real men and women began to penetrate its solitudes. From without, not from within, comes the best assurance that it will never again be the menacing arm of Mormonism that it appeared to be a few years ago, in its unapproachable isolation. It is the spirit of evading the law which pervades whatever remains of the practice to-day that constitutes the menace of polygamy; and more of a menace than even the selfish sensuality which instigated the practice.

The principle of polygamy was born in the guise of a revelation, from the mind of one who considered that the *practice* would promote the success of the system of ethics which he was developing. It is not necessary to consider or to construe the arguments indorsing it. It flourished, and Mormonism flourished with it, taking no heed of United States law, active in territorial government, until President Arthur, at my request, sent my old law partner, Judge Zane, to be territorial Chief Justice of Utah, where he still resides, a highly honored citizen. He at once began a vigorous assault on the violators of the law and, in common parlance, he "made it so hot" for polygamy that another revelation was promulgated, publicly, at least, relegating the practice, so far as it concerned the further contracting of plural marriages, to a grave somewhere within the confines of the Temple.

It is unnecessary either to impute sinister or to criticise obvious motives for this change. It came about under stress of dire necessity. That is sufficient. The significant feature is the fact that another revelation could as easily resurrect the principle, rendering polygamy again permissible, so far as the Church is concerned; if, indeed, the Church has ever really considered it in any other light.

It was under the conditions of the second revelation that Utah became a State. A proviso was inserted in the act, by the Congress, that anti-polygamy legislation should be enacted. It was enacted; but we know that from the first it has been ignored, in some cases at least—effectually proving that, when Statehood lifted Utah out of the jurisdiction of territorial law to be a law unto herself, the pungent force of the necessity which brought

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about the second revelation was felt to be removed. There is conflicting evidence as to whether plural marriages are still surreptitiously performed, but no one denies that polygamous lives are still openly lived, right about the courts of justice.

It is not incumbent upon any one to remain there, if the laws conflict with his convictions or convenience. We may not question his right to follow the dictates of his conscience; but, where these come in conflict with the laws of the land, by which we must abide, we have the duty and we certainly ought to have the right to demand that he follow them somewhere else than among us. It is the common law of self-defence. We should defend our country at least as zealously from threatening menace as we would defend ourselves. If plural marriages still take place under Mormon auspices, if polygamous lives are still lived under Mormon protection, and if the State of Utah or any other State is unable or unwilling to cope with violations of the practically universal law, then surely there should be, as has already been proposed, a constitutional amendment giving Congress the power to make such a law absolutely universal, and then to enforce it. It is a practical proposition, for it is not the State of Utah, for example, but the United States, which suffers from such dishonor and disloyalty. It is one means by which we could forever do away with all of the associations of one of the two features of the menace of Mormonism.

The other menace lies in the spirit of hierarchy, and the extent to which its influence is possible, publicly or privately controverting the laws of the land and bending them to its purposes. It is not the abstract ethics of the Mormon Church with which we have the right to come into conflict, for, as a nation, we are pledged to freedom to worship God. Every man has the inalienable right to accept the faith which pleases him and to believe what he will; and I am ready to rest on the testimony that, in many of its details, the Mormon faith is a strong advocate of justice, righteousness and integrity. It is not improbable, as claimed for it, that the ethics of Mormonism include principles which, of themselves, tend to produce good men. If "by their fruits ye shall know them," then for sobriety, industry and thrift, the general characteristics attributed to Mormon communities speak well for the character of the dominance which has curbed and incited them; but it is not what a man believes, but the putting of his theories

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into practice, if they conflict with law, which rightly demands public attention and ought to receive punishment when punishment is due.

If the hierarchy of the Mormon Church exists as it once existed; if it penetrates, as it once penetrated, into the affairs of citizenship; if it dictates, as it once dictated, courses of conduct at variance with the laws of the land under whose flag it claims protection and privilege—then it is a menace, and it is high time that we demanded reformation.

We cannot now, or at any time, too strenuously condemn polygamy, in any phase. We can never too earnestly denounce and combat the tendency of church hierarchy, or any hierarchy, to dominate law. We cannot, we must not, tolerate any philosophy, religion or code which sets the tenets of its organization above the Constitution of the United States; claiming or accepting, by an oath or by admonition, a deed, a devotion or a duty that is in conflict with the community of interests of the whole country, or with the constitutional commands of the State or of the Nation to which we all owe allegiance.

SHELBY M. CULLOM.

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THE STATE OF PRIMARY EDUCATION IN IRELAND.

BY MICHAEL McDONNELL.

THE question of university education in Ireland, which seems not much nearer solution to-day than it did ten years ago, has by its urgency to a great extent distracted attention from the almost equally important matter of primary education in that country.

To understand the present state of education in Ireland, it is necessary to recall the fact that in the eighteenth century the Penal Laws proscribed "Popish schoolmasters," while the act of teaching, even in a private family, on the part of a Catholic was a felony; the great masses of the population were excluded from the schools that existed; and, in this way, the broad policy of the Government was to put down Popery by starving it of all education. When the Penal Laws had been repealed, no attempt was made to help in building up a system of education to make amends for the proscription which had been in force, and to dispel the ignorance of which it had been the occasion. In the eighteenth century, education had been denied to the people of Ireland; and, for more than the first quarter of the nineteenth century, no steps were taken to raise the people from the illiterate condition to which they had been condemned against their will.

The existence of Irish colleges, not only for the clergy but also for the laity, in the towns of France, of Belgium, and of Spain, to which those who could afford it sent their children during the years in which education was first proscribed and then neglected, shows clearly that the desire was not wanting and the means to obtain it all that was lacking.

This is the more striking when we remember that to have been educated abroad incurred, upon conviction under the Penal Laws,

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legal disabilities to sue in Law or Equity, or to inherit; and forfeiture for ever of all goods and chattels. "The tender and incapable age of such a person," wrote Edmund Burke, "his natural subjection to the will of others, his necessary, unavoidable ignorance of the laws, stands for nothing in his favor."

The first step towards educational improvement was taken in 1833. Catholics and Protestants alike wished for denominational education; but the English people, having abandoned the policy of proscription and of neglect, could not accept a system which would have satisfied the whole country, and established it on the principle of "united secular and separate religious instruction."

"What you refuse," Grattan once said, "refuse decently: what you give, give graciously." Can any Englishman claim that education in Ireland was either refused decently or given graciously? The Board of Control was composed of four Protestants and two Catholics, though the Protestant population was but one-fifth that of the whole country. Archbishop Whately, an English Protestant, and Mr. Carlile, a Scotch Presbyterian, were the two men in whom was placed the chief power to organize the education of Ireland. The Archbishop said frankly that he regarded his position as affording opportunities for proselytism; and he improved the occasion by trying to Anglicise the children by the books which were prepared for use, in one of which occurs the following stanza from His Grace's pen:

> "I thank the goodness and the grace
> That on my birth have smiled,
> And made me in these Christian days
> A happy English child."

One must realize the fact that these lines were written just after Catholic Emancipation had been secured, in fulfilment of a promise over thirty years old, to appreciate the contrast between the smug feeling of self-satisfaction which obviously inspired them and the spirit in which the Irish child must have read them.

As regards the undenominational nature of the schools, the English Government might propose, but the Irish people were able to dispose, so that the whole tendency has been against schools attended indiscriminately by Catholics and Protestants. In 1899, out of some 8,700 schools, more than 5,000 were attended by

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children of one religion only; and of these 4,000 were Catholic schools, the rest being Protestant.

The inability of England to legislate in a sympathetic spirit through lack of knowledge of Ireland is well illustrated by the attempt which was made, albeit unsuccessfully, to establish in Ireland an undenominational system, against which both Catholics and Episcopalian Protestants protested.

The vicious circle in which anti-Irish agitators argue is exemplified by what one may call the "appeal to illiteracy" argument which ultra-Unionists so often make use of in speaking and in writing. "You are ignorant and, therefore, you are not to be trusted," they say in effect; to which Ireland may well reply: "Our ignorance, indeed, is our misfortune, but who will deny that the fault is most emphatically yours? How often, when we asked for bread, did you not give us a stone?"

The census of 1901 showed that, of persons over five years of age in Ireland, no less than 13.7 per cent. could neither read nor write: the percentages in the various provinces were 11.3 in Leinster, 12.5 in Ulster, 14 in Munster, and 20.7 in Connaught.

The children in Scottish schools attend on 85 per cent. of the days on which the schools are open, in English schools on 84 per cent., and in Irish on 65 per cent. In considering these figures we must realize one fact, namely, that in England compulsory attendance has been enforced since the Education Act of 1876, while it was not till 1892 that an Act relating to Ireland created powers to establish School Attendance Committees who could legally force children in their districts to attend. Advantage has been taken of the provisions of this Act to a large extent in urban districts, and to a far smaller degree in the country parts.

In addition to the National Schools, which we have mentioned as having become to a great degree denominational, there is another class of primary schools in Ireland known as "model schools." These are undenominational; they are thirty in number, and they were founded, as their name implies, to serve as models of national education. An English Inspector of Schools, who recently published a report on Primary Education in Ireland, has declared that in respect of school premises alone can they claim superiority; in point of education they are not above the National Schools, and the expense of maintenance is greater.

The model schools in the Protestant districts, such as Belfast,

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Londonderry and Omagh, are well attended. For fifty-five years, the Catholic Hierarchy have looked askance at them on the ground of their undenominationalism; and, in consequence, if we except those in Dublin, Cork and Trim, the number of Catholic children attending these schools is insignificant. The result is that we have a state of affairs varying between that of the Clonmel school for girls, which with accommodation for 184 children has an average attendance of 54, and the condition of the Kilkenny mixed school, with an average attendance of 51 and room for 515 children. When, in addition to model schools, Protestant National Schools are also present in the town, the state of affairs is even more striking; for example, the boys' model school at Waterford will accommodate 369, and the average attendance is 29. In cases such as this, where several Protestant primary schools exist in the same town, there can be no possible excuse for the waste of public money entailed in the maintenance of the model school; and, even in cases in which the latter form of school affords the only education which Protestants will accept, the use of buildings utterly disproportionate to the number of pupils is in a similar degree extravagant, though not to so great an extent inexcusable.

The average annual maintenance expenditure per child in Ireland, £2 11*s* 6*d*, is approximately equal to the cost in England, Scotland and Wales; in the model schools, the average charge per child is no less than £4 10*s*; and, in the case of individual schools, it rises to £6 or £7.

The existence of the model schools is not the only factor which tends to a multiplication of small schools in Ireland; the desire for denominational education has led to such a state of things, and the differences between the several Protestant sects have led to the further establishment of schools. It has been estimated by the Inspector already mentioned that there must be at least eighty schools in the country which are not required, even to provide separate education for Catholic and Protestant children.

The centralized control of the Board of National Education in Ireland appears to entail the disadvantages of such a system without securing any of its advantages. In England, the State hands over a capitation grant to the School Managers, and the responsibility is left to them of distributing the money among the various items of expenditure, such as teachers' salaries and upkeep

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of the premises. It is, therefore, to the interest of the Managers and local authorities to make the grant go as far as possible, especially as its amount is never great enough to maintain the school without some additional local aid derived from rates, endowment or voluntary contribution. The whole tendency of this system is to inculcate in the Managers habits of economy, since any extravagance creates a new charge on local funds.

In Ireland, it is only in the case of the 300 Convent and Monastery Schools that a system of capitation grants is adopted. In the 8,000 other schools, the State Grant has been virtually allocated to the payment of the salaries of teachers, thus relieving the Managers from all responsibility and occasion for economy on that head, and leaving them with no further care than the maintenance of the school buildings. Since the payment of salaries forms the largest charge, control of the schools has in Ireland been in a great measure divorced from financial responsibility, and this fact again has led to the multiplication of schools throughout the country, for the State, and not the locality, suffers most from the extravagance which this entails. The local authorities then have had no responsibility, and the Board has had no control over the purse-strings; while the latter has, in addition, where its power does extend, given rise to anomalies inseparable from centralized and inelastic rule, such as are well illustrated by the ridiculous case of the Belfast street boys who gained the highest marks in the country in an examination on Agriculture.

The increase in schools which the present system encourages has a direct bearing on the salaries which the teachers are paid. Numerous small schools, no doubt, offer inducement to more people to enter the teaching profession; but the general standard is bound to suffer from the absence of anything like the same number of well-paid posts as exist in England and Scotland. The average payment to head teachers in the latter country is 75 per cent., and in England 48 per cent., higher than it is in Ireland. Another advantage of the capitation system is that it offers to a locality a direct financial inducement to improve the attendance of children at school.

The poor attendance at school in the country parts of Ireland, to which we have already referred, is due in large measure to the greatness of distances, the wet climate, and the need for the children's services in the home and on the land. In England,

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under what is known as Robson's Act (1899), local authorities can exempt children employed in agriculture from school attendance during certain periods, provided that they complete a prescribed number of attendances during the other months of the year. In Ireland, any extension of the principle of compulsory education would emphatically need to contain a saving clause such as this, owing to the migration of labor for English and Scottish harvests which annually creates a demand for work on the part of the children. Any attempt to extend compulsory education without some such proviso would render education unpopular.

The difficulties arising from distances and weather might be modified by the extension to Ireland of the principle which has been adopted in England, giving powers to the local authority to provide covered carts for the purpose of conveying children to and from school.

The National Board in Ireland is composed of unpaid Commissioners, who can in no sense be called educational experts, and who are not in any way responsible to the public in the manner that the English Board of Education is responsible, through its Parliamentary Secretary. There is no connection between the National Board and those of Intermediate Education or of Technical Instruction, and so no means is in existence by which clever children can be passed on from the National to the higher schools.

The waste of public money resulting from the independence of these three Boards may best be shown in tabular form:

Out of every 20*s* given as Exchequer aid to Education:
In England and Wales 17*s* goes to education; 3*s* goes to administration and inspection.
In Scotland 16*s* 2*d* goes to education; 3*s* 10*d* goes to administration and inspection.
In Ireland 13*s* 6*d* goes to education; 6*s* 6*d* goes to administration and inspection.

From these figures one can draw a not very edifying conclusion, namely, that, in educational matters, public extravagance is in inverse ratio to the prosperity of the country. In Ireland, the total cost for administration and inspection under the three Boards is £120,000, the similar charge on Scotland is exactly half that sum; and yet Scotland prides herself on her education, and Ireland is taunted with her illiteracy.

MICHAEL MCDONNELL.

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THE NEW GERMAN CUSTOMS TARIFF.

BY N. I. STONE, TARIFF EXPERT IN THE BUREAU OF STATISTICS.

On March 1st, 1906, the new German tariff will go into effect, and thereby mark the opening of a new chapter in the commercial relations between the most progressive and aggressive country on the European continent and the nations with which it is doing business. The importance of this event can hardly be overestimated.

The close commercial intercourse among modern nations has brought about such intimate interdependence between the leading countries of the world as to make any change in the commercial policy of one of them immediately felt among the rest. This is particularly true of Germany. In the last fifteen years, the Empire has given a practical demonstration of its ability to exert a potent influence on the commercial policies of most of the European countries. As will be shown in this article, she has managed to become the centre of a tariff system, of which the other European countries are constituent members, so that any important change in the German tariff immediately results in corresponding changes in the tariffs of the other countries. As for the bearing of the new German tariff on the interests of the people of the United States, the mere fact that Germany is our best customer, after Great Britain, is sufficient to show the vital importance to our trade of any serious changes in the tariff policy of that country. As an indication of the sentiment entertained on that subject in Germany, the following statement by Richard Calwer, an exceptionally well-informed member of the German Reichstag, is significant:

"The shaping of the schedules of the new customs tariff is influenced to a high degree by the regard for American competition. It is no extravagant statement to say that the continuance of the middle-European

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commercial treaties in the direction of freer trade depends on the attitude of the Union in the matter of tariff policy."

This was said in 1902, while the new tariff was in the course of preparation.

How deliberately the Germans go about their tariff policy; how thoroughly they study all the strong and weak points in their adversaries' positions; with what scientific care they measure their own manifold interests; how carefully they guard, in their work of tariff legislation, against disturbing the stability of existing business conditions may best be seen from the way in which the new tariff has been adopted. As early as 1898—*i. e.*, more than five years before the expiration of the old tariff treaties—a Commission of government experts and leading representatives of the industrial and commercial interests was organized to make a detailed study of the needs of every industry whose products were in any way affected by the tariff. After five years of incessant work of that character, in which more than 2,000 experts took part, the new general or so-called "autonomous" tariff was enacted into law (but not put into effect) by the German Reichstag.

The new tariff law adopted on December 25, 1902, with rates considerably raised, formed the basis of diplomatic bargaining, of which it took more than two years to conclude commercial treaties with the following seven countries: Austria-Hungary, Russia, Italy, Switzerland, Belgium, Roumania and Servia. These treaties, which considerably reduce some of the rates provided for in the tariff of 1902, were enacted into law on February 22d of this year, and together form the new so-called "conventional" tariff, which will be applied to all countries enjoying "most favored nation" privileges. Deliberate and cautious as these steps have been, the new tariff is not to be thrust upon the business community of the Empire on short notice, but the country is given one full year in which to adjust itself to the new rates. Hence the date for giving effect to the new tariff law has been set for March 1, 1906.

Such, briefly told, have been the leading steps in the concluding chapter of tariff legislation, which has fixed the commercial relations of the German Empire to the rest of the world until the end of 1917 beyond the possibility of serious change.

The newly concluded treaties are the second series of their kind, those at present in force having been the first since the

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formation of the Empire. To understand why Germany is so well pleased with its policy of treaty-made tariffs, it is necessary to go back to the time of the inauguration of its protective tariff system. This will not only give us an insight into the motives governing the influential spheres of the Empire in making the successive changes in the imperial tariff system, but will enable us to understand the considerations which are likely to guide the Empire in the impending negotiations with the United States.

The tariff history of the German Empire may be summed up under the following three heads: (1) Free-trade period, 1870-79; (2) Protective autonomous tariff, 1879-1891; (3) Commercial treaties, 1891 to the present time.

The German Empire started out with what might be called a free-trade policy, which it had inherited from the old régime. But the rapid development of its industries, and the appearance of American and Russian grain in competition with the native products, soon created a demand for protective duties which could not be long ignored, when called for by city and country alike.

As a result of that, Bismarck found it advisable to give up his free-trade policy, and was instrumental in getting through the Reichstag the protective tariff of 1879, which forms the basis of the German tariff to-day. Under the protection of the new tariff, the German industries made rapid strides, which soon placed that country in the front rank of modern industrial nations. Soon Germany was not only able to supply a great part of her own wants, but with incredible rapidity her manufactures entered one foreign market after another on the European continent, as well as in other parts of the world.

This brilliant success, in so far as it may be ascribed to the effect of the tariff, was due not only to the protective tariff of the German Empire, but also to the absence of protection in all of the European countries, with the exception of Russia and Austria-Hungary. For this combination of exceptionally favorable conditions, Germany was indebted to three causes: (1) the Frankfort treaty with France; (2) the liberal tariff policy of France; and (3) the "most favored nation" treaties with other European countries.

The Frankfort treaty of peace, concluded between France and Germany in 1871, provided among other matters that any

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tariff concession made by either of the two countries to England, Austria, Russia, Belgium, Netherlands or Switzerland, was to be immediately and unconditionally extended to the other. France, having inherited from the régime of the Third Empire the system of commercial treaties based on low import duties, was thus compelled by the Frankfort treaty to grant the same terms to Germany. At the same time, the other European countries, which by virtue of their commercial treaties with France, had also reduced their duties for the time being, were compelled to admit at the same low rates their imports from Germany, owing to the "most favored nation" treaties which they had with that Empire. The result was that Germany could with impunity shut out foreign imports from her domestic market, while obtaining practically free admission for her manufactures to all the European markets, except Russia and Austria-Hungary.

Russia, like the United States, held aloof from the commercial agreements then so much in vogue among the European Governments, preferring to regulate her commerce in accordance with her own views of its interests. This she did with such telling effect that Russia's imports from Germany dropped from 228 million marks in 1880 (the year following the adoption by Germany of her protective tariff) to 129 million marks in 1892; Austria-Hungary was also in a position to retaliate.

The selfish policy of Germany could not fail to arouse resentment among the other European nations, especially in France, who saw herself rapidly pushed to the rear by her victorious adversary. As soon as her commercial treaties reached their time of expiration in 1892, France gave notice to the world that henceforth she would return to the policy of autonomous regulation of the tariff. The other countries followed suit, all preparing to revise their tariffs on a protective basis. Germany was now confronted with the prospect of having her Russian experience repeated in the other foreign markets. This she could ill afford to permit, since the very existence of several of her industries had come to depend on the continued patronage of her foreign customers. Something had to be done at once to prevent such a calamity, and the only means at the disposal of the German government was the scaling down of its own tariff rates as the price of similar favors on the part of the foreign governments. Such was the origin of the commercial treaties of 1891, which in-

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augurated the system of the so-called "conventional tariff" in Germany. By this arrangement, the protective tariff of 1879 remained in force as the general or autonomous tariff of the Empire, to be applied to countries having neither a commercial treaty with Germany nor a "most favored nation" agreement, while the conventional tariff was to be applied to the other countries.

Thus Germany supplanted France as the centre of a European customs system, the members of which guarantee to each other preferential rates, which are settled beyond the possibility of change during the life of the treaties. The preference, however, is not limited to the members directly entering this loose alliance, but is extended to any other nation enjoying "most favored nation" treatment.

Her industries having attained sufficient strength under the protective policy to be able to withstand the competition of foreign countries, and needing an outlet in foreign markets because of the high degree of development they had reached under that system, Germany could well afford to inaugurate the change. So sure was she of the advantages of the new policy that she insisted on a mutual binding of the respective tariff rates agreed upon in her treaties for a period of twelve years, thus insuring to her industries a long period of stability and certainty, so far as the tariffs at home and in the principal foreign countries were concerned.

Subsequent events proved the wisdom of the German policy. From $756,000,000 in 1891, her exports of domestic products rose to over $1,295,000,000 in 1904, an increase of more than 71 per cent. During the same period, the domestic exports of France increased from $689,000,000 to $895,000,000, or less than 24 per cent., in spite of her autonomous high tariff; and of Great Britain, from $1,203,000,000 to $1,413,000,000, or about 17 per cent. Similar and even more striking figures could be cited in illustration of the growth of German commerce with the individual countries with which she entered into commercial agreements.

This growth of German exports was the result of the increase of the output of her manufacturing and mining industries beyond the needs of the population of the Empire. The agricultural products, though showing some increase, due partly to a very slight increase of the area under cultivation (a little over 3 per

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cent.), and still more to improved methods of intensive cultivation, fell far short of supplying the needs of her growing population. The result was that Germany had to depend, in a rapidly increasing measure, on imported grain. This condition of affairs was clearly realized in 1891, at the time of the conclusion of the commercial treaties; and, as the price of cereals was at the time quite high, and a reduction of the high duties on cereals was urgently demanded by Austria-Hungary, Roumania and Russia, the duties on agricultural products were considerably reduced.

However, no sooner had the new tariff gone into force than conditions in the world markets changed, and the prices of agricultural products greatly declined. This had the effect of stirring the German landlords to renewed political agitation for protective duties on agricultural products. In no country of Western Europe does the landed aristocracy retain its political power and influence to the extent it does in Germany, and especially in Prussia. At the Court it practically has no rival; all the positions of command and honor in the army are in its grasp; all that is most influential and desirable in the bureaucratic machine of the Prussian Kingdom and the German Empire is in its undisputed possession. Having the ear of the Emperor, whose direct influence on legislation is greater than that of any other constitutional monarch in the world, skilfully and persistently fanning the agitation among the rural population of the country, which has a representation in the German Reichstag out of proportion to its numerical strength, and using all its social and political advantages, the German aristocracy was able to bring the government around to its point of view, and make the question of protection of the agrarian interests the paramount object of the government's solicitude in framing the new tariff.

Bearing in mind these facts, it will be easy to follow out the important changes through the elaborate network of the new German tariff. There is not an article of any importance in the agricultural list that can be produced at home the duty on which has not been raised. The duty on wheat, for instance, has been raised from 3.50 marks per 100 kilos in the present conventional tariff to 7.50 marks in the new autonomous tariff, or more than 114 per cent.; on corn from 1.60 to 5.00 marks, or 212 per cent.; on flour from 7.30 to 17.75 marks, or 156 per cent.; on bacon from 20 to 36 marks, or 80 per cent.; on lard from 10 to 12.50

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marks, or 25 per cent.; on hops from 14 to 70 marks, or 400 per cent. Several products formerly on the free list have now been made dutiable; thus, potatoes, formerly admitted free, will now be subject to a duty of 2.50 marks per 100 kilos; other vegetables, like tomatoes, asparagus, mushrooms, melons, etc., also formerly admitted free, are put under a duty of 20 marks per 100 kilos, when imported in a fresh state, and 40 marks, if dried or otherwise prepared; several varieties of flowers, plants and fruit have met with a similar fate.

In the case of manufactures, owing to the radical changes in the classification adopted in the new tariff, no such exact comparison of old and new rates can be made. One thing, however, becomes apparent at a glance, and that is the absence of such sweeping changes in a uniformly upward direction as are found in the agricultural schedules. A number of rates have been advanced, especially those affecting articles in which the United States has recently begun to compete in European markets, such as boots and shoes, certain kinds of machinery, especially of the light-weight varieties, hardware, tools, motors, bicycles, sewing-machines, typewriters, etc. The agrarian protectionists were only too glad to grant higher rates to the manufacturers, in order to get the support of the powerful industrial syndicates for their own measures. But, unlike the rates in the agricultural schedules, side by side with increases there are also reductions, while a very large number of rates remain unchanged. This is not surprising, since increased protection to manufactured products did not furnish the motive for tariff revision. Confident of their ability to hold the home market, the manufacturers were not so much after increased rates of import duty as after more favorable rates in foreign markets on German manufactures.

It is but natural that, under those conditions, the manufacturing and commercial classes have been less pleased with the results of the tariff than the agrarians. As pointed out by Dr. Soetbeer, the able General Secretary of the Association of German Chambers of Commerce, the average rate on agricultural products under the present conventional tariff, according to official figures, is about 21 per cent. *ad valorem;* while that on manufactured articles is only 10 per cent. The new tariff will tend to make that contrast still greater.

It will be noted that, in making the above comparison, the

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rates quoted were from the present conventional and the new autonomous tariffs. This was done in order to indicate the increase in tariff taxation to which the exports from this country would be subject, if the German government were to apply the autonomous tariff to imports from the United States. The conventional rates as fixed by the new treaties, while considerably above the present conventional tariff, are much lower than the autonomous rates.

The question the American people are most interested in is as to the possible effect of the new tariff on our exports to Germany. It has been pointed out above that Germany is our largest customer, after Great Britain. Our export trade to that country has been growing at a rapid rate, having risen from $93,000,000 in 1891, to $215,000,000 in 1904, or more than 131 per cent.; while our imports from that country during the same period rose from $97,000,000 to $109,000,000, or slightly more than 12 per cent. The leading part in this export trade belongs to agricultural products, cotton alone exceeding one-half of our exports, and with wheat, corn, tobacco, flour, lard and a few other products of a similar kind, making up fully three-fourths of our entire export trade with Germany. The balance consists largely of crude and semi-manufactured products, such as leather, lumber, fertilizers and petroleum; the few manufactured articles, such as machinery, bicycles, typewriters, boots and shoes, playing but a secondary part. In making up the accompanying table, the most important articles of our export trade with Germany have been selected as nearly as they could be made to correspond with the classification adopted in the German tariff, indicating the rates of duty to which they are subject at present when imported into Germany and those they will have to pay after March 1st, 1906, under the autonomous and the conventional tariffs respectively.

The point to be considered next is the relation between the autonomous and the conventional rates of the new tariff. While the conventional rates indicate the minimum extent of disadvantage to which all foreign countries will be subject in the German market in competition with German manufacturers, the excess of the autonomous rates over the conventional rates shows the additional disadvantage a country may find itself at, in its competition not only with the native industries, but also with foreign competitors enjoying the lower rates. If wheat coming

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Principal articles exported from the United States to Germany, and rates of duty under existing tariff of that country, compared with the autonomous and conventional tariffs which will go into force March 1st, 1906:

Articles exported.	Value in 1904.	Present tariff on imports from United States.	New autonomous tariff.	New conventional tariff.
		Rate per 100 pounds.		
	Million dollars.	*Dollars.*	*Dollars.*	*Dollars.*
Cotton	109.0	Free.	Free.	Free.
Corn	7.2	*a*0.10	*a*0.31	*a*0.19
Wheat	6.0	*a*.23	*a*.49	*a*.36
Tobacco	5.0	9.19	9.19	.....
Lard and tallow	15.6	1.09	1.36	1.09
Copper	11.3	Free.	Free.	Free.
Petroleum, refined	7.2	.65	1.08	.65
Petroleum, lubricating	1.6	1.08	1.08	.65
Paraffin	.9	1.08	1.08	.86
Oil cake	4.1	Free.	Free.	Free.
Flour	2.2	*b*1.55	*b*4.00	*b*2.17
Bacon	1.0	2.16	3.89	.....
Beef, fresh	.....	1.62	4.87	2.92
Beef, salted, etc	.4	1.84	6.45	2.92
Apples, dried	1.2	.43	1.08	.43
Apples, fresh	.9	Free.	.27	.....
Prunes, dried	.8	.43	1.08	.65
Oranges	.....	.43	1.30	.35
Cottonseed-oil	1.1	1.08	1.35	.....
Rye	.....	*a*.21	*a*.42	*a*.30
Lumber, soft, sawed	2.2	*c*1.14	*c*1.79	*c*1.14
Logs	1.2	*c*.29	*c*.29	*c*.17
Furs and fur skins, raw	1.4	Free.	Free.	Free.
Hides, half-dressed	.....	1.95	3.25	3.25
Leather	.8	1.95–3.90	3.90–8.65	.....
Phosphates, fertilizers	2.6	Free.	Free.	Free.
Rosin and turpentine	3.3	Free.	Free.	Free.
Sewing-machines	.9	2.60	3.79	.....
Typewriters	.9	2.59	6.49	.....
Machinery	2.5	.27–1.30	.32–2.16	.....
Boots and shoes	.4	5.41	*d*9.19–19.47	*d*6.49–9.74
Builders' hardware	.9	.65–2.60	.65–2.16	.....
Bicycles	.1	2.59	16.19	10.79

a Per bushel. *b* Per barrel. *c* Per cubic metre.
d Rate decreases as weight of boots or shoes, per pair, increases.

from the United States were to be subject to a duty of 49 cents per bushel (according to the autonomous tariff), while Russian and Hungarian wheat paid only 36 cents (the rate to which those countries will be entitled under the treaties now concluded), it does not require any elaborate calculations to tell in what country

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the German importer will prefer to place his order. The same reasoning applies to other articles even with greater force. For, while the excess of the autonomous rates over the conventional is only 36 per cent. in the case of wheat, it is as much as 50 per cent. in that of bicycles; 63 per cent. for corn; 66 per cent. for petroleum; 84 per cent. for flour; 100 per cent. for some kinds of shoes, etc.

Which of the new tariffs are the imports from the United States likely to be put under? is the question which now agitates the business men of this country. A brief review of the lines of action which have so far marked the relations between the two countries in this special field may be helpful in clearing up the leading considerations actuating their respective governments. Two principal factors have entered into those relations: the actual mutual obligations imposed upon the two countries by the treaty stipulations now in force, and the respective interpretations of the "most favored nation" clause governing the commercial relations of the two countries in a general way. As to the former point, what is officially known as the "Commercial Agreement between the United States and Germany," of July 10th, 1900, is the "law of the land" in both countries. It was concluded under President McKinley by virtue of Section 3 of the Dingley Act of 1897, which conferred on him the authority of entering into such agreements without submitting them for ratification to the Senate. The section referred to authorized the President to grant the following special rates, representing concessions ranging from 12½ to 25 per cent. on articles which cannot be said to be of vital concern to American industries:

"Upon argols, or crude tartar, or wine lees, crude, five per centum ad valorem." (Regular rate, 1 cent per pound.)

"Upon brandies, or other spirits manufactured or distilled from grain or other materials, one dollar and seventy-five cents per proof gallon." (Regular rate, $2.25 per gallon.)

"Upon still wines, and vermouth in casks, thirty-five cents per gallon" (regular rate, 40 cents); "in bottles or jugs, per case of one dozen bottles or jugs containing each not more than one quart and more than one pint, or twenty-four bottles or jugs containing each not more than one pint, one dollar and twenty-five cents per case" (regular rate, $1.60), "and any excess beyond these quantities found in such bottles or jugs shall be subject to a duty of four cents per pint or fractional part thereof" (regular rate, five cents), "but no separate or additional duty shall be assessed upon the bottles or jugs.

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"Upon paintings in oil or water-colors, pastels, pen-and-ink drawings, and statuary, fifteen per centum ad valorem." (Regular rate, twenty per centum.)

In return for these concessions, the German government extended "to the products of the United States, on their entry into Germany, the tariff rates which have been conceded by the Commercial Treaties concluded during the years 1891-1894 between Germany, on the one part, and Belgium, Italy, Austria-Hungary, Rumania, Russia, Switzerland and Servia on the other part;" and agreed, moreover, to "annul the regulations providing that the dried or evaporated fruits imported from the United States into Germany be inspected on account of the San José scale."

That Secretary Hay got the better end of the bargain may be seen from the fact that in none of the other treaties with France, Portugal and Italy, in which the same concessions were made to those countries on our part, as in the above agreement, were any such sweeping concessions made to us in return, although both France and Italy have minimum tariffs similar to the conventional tariff of Germany, which they extend to "most favored nations;" and Portugal has also quite an extended list of articles on which special rates of duty are levied when imported from "favored nations."

As most of the imports into Germany from the United States enter into competition with the agricultural products of that country, the concessions made to us have served to irritate most the powerful agrarian interests of the Empire. In the last few years, a vigorous agitation has been carried on in Germany against the extension of the "most favored nation" treatment to the United States, on two grounds: first, that the tariff concessions at present granted to us are not adequately reciprocated on our part; second, that the interpretation of the "most favored nation" principle by the United States differs very radically from the European interpretation in general, and the German in particular. According to the European interpretation of that principle, any concession affecting international commerce and navigation, whether in the matter of tariff rates, or the treatment of citizens doing business in foreign countries, or any other matter falling within the wide scope of commercial activity, when made by one country to a second country, must *ipso facto* be extended immediately, and without any compensation in re-

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turn, to all the countries with which the first country has "most favored nation" agreements. The United States, on the other hand, has consistently and steadfastly refused to acquiesce in that broad interpretation of the principle, and has uniformly insisted that any concession made by it to any country in return for equivalent concessions would be extended to countries enjoying "most favored nation" treatment, on the sole condition that similar or equivalent concessions be made to the United States by the countries claiming such treatment. It may be said, in passing, that while the construction put upon the "most favored nation" principle by the United States has been heretofore denounced in Europe as selfish and smattering of mediæval backwardness and exclusiveness, the best economic thought in Europe has lately come around to our view, as a result of very disappointing experience some of the European countries have had in the practical application of their theory.

Be that as it may, the fact remains that, for the present, the United States enjoys greater advantages in those European countries with which it has "most favored nation" treaties than it accords to them. So far, the German government has failed to act in accordance with agrarian wishes, and has continued to abide by the agreement of 1900, refraining at the same time from formally denouncing the treaty of 1828, which established "most favored nation" treatment between the United States and Prussia. According to the terms of the agreement of 1900, the latter may be terminated at any time after "three months from the date when either party shall notify the other of its intention to terminate the same." Since the seven treaties, on which our agreement with Germany of 1900 is based, will expire on March 1st, 1906, that date will also terminate our agreement.

The question which remains to be considered is, whether Germany will be willing to conclude a new agreement with us on similar lines, that is to say, to extend to us her new conventional tariff rates in return for the concessions authorized in Section 3 of the Dingley Act, enumerated above, which are the only ones the President has power to extend, in the absence of new legislation on the subject by Congress. Judging from the attitude of the German government in the Reichstag at the time of the discussion of the new treaties, and from the semi-official utterances on the same by members of the Reichstag Committee on Tariff

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Treaties, it may be surmised that before the end of this year the German government will accompany its notice of the termination of the agreement of 1900 with a proposition to open negotiations for a commercial treaty on new lines.

Assuming, for the sake of argument, that the offer of the German government would be entertained on this side, what are the respective strategic positions of the two parties to the negotiations? In presenting the newly concluded treaties for ratification by the Reichstag, the Imperial Government admitted that the high duties on agricultural products in the new tariff have put it at a disadvantage in the negotiations with foreign governments. Says the official report accompanying the treaties: "In shaping the new conventional tariffs, one object, above all, served as the guiding rule, namely, to preserve as far as possible the increased protection of German agriculture, aimed at in the new autonomous customs tariff. This, on the whole, has been successfully accomplished." At the same time, the admission is made that "with the considerable increases in rates which have been preserved on the German side of the tariff agreements, especially on agricultural products, it was impossible to obtain again those favors to our export industries which are embodied in the treaties at present in force." These two utterances, from official sources, are sufficient to show the disadvantage at which the Germans find themselves in negotiating treaties on the basis of the new tariff. Even as they are, some of these treaties could not be concluded until the eleventh hour, countries having a considerable export trade in agricultural products proving the most intractable. Negotiations with Russia, for instance, had to be broken off, and, but for the difficulties that country got into later on through the war with Japan, probably would never have been brought to a successful termination, on the present basis. In the circumstances, it paid Russia to conclude the treaty, in consideration of Germany's moral and financial support. Similar difficulties were encountered in the negotiations with Austria-Hungary. The result of these adverse conditions to Germany was that, under the rates of duty agreed upon in the seven treaties mentioned, only seven per cent. of the total value of the present exports of Germany to those seven countries will be subject to lower duties than they are paying at present; 41 *per cent. will be subject to higher rates,* and 52 per cent. will continue to pay the old rates.

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If the powerful German Empire had to content itself with such poor results in her negotiations with second and third rate Powers, like Switzerland, Belgium, Rumania and Servia, what will be the probable attitude of mind of her negotiators when they approach the United States?

Of the seven countries with which Germany has concluded her commercial treaties, Austria-Hungary is the only one which buys more German goods than the United States. Moreover, the imports of the United States from Germany are larger than those of Russia, Rumania and Servia combined, and almost as large as those of the three countries mentioned, with Italy's thrown in to the bargain. The value of the respective exports of Germany to Belgium and Switzerland is less than two-thirds of her exports to the United States. Of the total exports from Germany to this country, which amounted in 1903 to almost $120,000,000, $28,000,000, or less than one-fourth, were admitted free of duty, consisting mostly of raw materials required in our industries, while about $92,000,000, or more than three-fourths, were dutiable, being principally manufactured goods. On the other hand, cotton alone, which is admitted free to Germany, exceeds one-half of our exports to that country, and could not be subjected to a duty without disastrous consequences to the German cotton textile industries. In the negotiations for mutual concessions, the United States is therefore at an advantage, which puts us in a position to wrest substantial concessions on several of the articles of manufacture in which we are beginning to have a growing trade, in return for any concessions which this country would be willing to make. It should be borne in mind that the concessions made in the seven treaties under discussion do not by any means express the extreme length to which the German government may go. On the contrary, it is quite possible that the Imperial Government would be glad to make a number of additional reductions in its high tariff, in a treaty with this country. By so doing, it would please its own exporters who are clamoring for more favorable conditions for their export trade, as well as its manufacturers, since a number of reductions could be made from its duties on products used in the industries and arts, which the United States could supply in increased quantities at lower prices than now paid by German manufacturers and artisans. These include a wide range of goods, from machinery to hides.

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Taking only the most important items of our export trade to Germany, it will be seen that on the following articles the United States could with advantage to our trade demand concessions in a conventional tariff, since they have not been affected so far by the conventional tariffs with the European countries: bacon, increase of duty 80 per cent.; fresh apples, formerly free, now subject to a duty of 27 cents per 100 pounds; cottonseed-oil, increase of duty 25 per cent.; leather, increase of duty from 100 to 150 per cent.; sewing-machines, 46 per cent.; typewriters, 150 per cent.; machinery, 60 per cent.

Another advantage we have over Germany should not be overlooked. Owing to our strict construction of the "most favored nation" clause, we may make any concessions to Germany that we find desirable, without being confronted with the necessity of extending unconditionally the same privileges to other countries, and thereby finding our calculations upset as to the possible consequences thereof to our trade. Germany, on the other hand, in making any concessions to this country, is thereby forced to extend them to all the countries with which she has "most favored nation" agreements. For that very reason, however, any concessions she would obtain from the United States would be of greater value to her than if we extended them indiscriminately to all of her competitors.

These advantages on our side, in the event of actual treaty negotiations, should not blind us, however, to the one salient feature of the situation created by the new German tariff, which is the imminent crippling of our trade with Germany in lines in which we have not a world monopoly, if the new autonomous tariff is applied to our exports to that country.

N. I. STONE.

P. S.—My attention has been called by the Italian Embassy to an inaccuracy in my article on the "International Aspect of our Tariff Situation" in the March issue of the REVIEW. On page 392 of that issue, the following statement appears: "Here, too [in Italy], we enjoy lower duties on a limited number of our products only, while paying the maximum duties on the rest of our exports." This statement was based on the Reciprocity Agreement with Italy, proclaimed by President McKinley, July 18th, 1900. While that agreement binds Italy to give us the lower rates specified therein on a limited number of articles only, the Italian Government, as a matter of fact, accords the minimum rates of duty, granted to most-favored nations, to *all* imports from the United States.—N. I. S.

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OUR FAILURE IN PORTO RICO.

BY ROY STONE.

"SAN FRANCISCO, *Nov. 25th.*—Santiago Iglesias, representative from Porto Rico, addressed the delegates of the American Federation of Labor to-day, and said that the condition of the workmen in his native land was worse under the present régime than under that when Spain was in power. He averred that 600 Porto-Ricans died each month from starvation."—*New York Times*, November 26th, 1904.

"A responsible contractor of San Juan quotes common labor at 30 cents per day of 11 hours, and mechanics at $1, and adds: 'Laborers are so hard up you can get any amount of them. They will have little or nothing to do, now that the coffee crop is gathered (November), *till next August* when it begins again.'"—*The Expansionist*, February, 1902.

"I found many thousands of people out of work and in distress . . . an army of idle workmen."—*Mr. Samuel Gompers*, 1905.

"Value of merchandise exported from Porto Rico for 2 years before the American occupation, $36,051,632; same for 2 years after occupation, $16,769,040."

THE American people will find it hard to believe the foregoing statements or conceive the conditions they represent, and especially hard to realize that all their good intentions toward the people of Porto Rico have so utterly failed of accomplishment. In all the history of the growth of our country, there never was felt so deep a concern for the welfare of any newcomers under our flag, nor was there ever a more urgent and unanimous mandate issued to the Government to provide liberally for the prosperity and happiness of any of our own new-born States or Territories. And the Porto-Ricans deserved it all. We did not have to buy the Island and fight its people, as we did the Philippines and Filipinos. The Porto-Ricans came to us gladly, and all who could find arms fought for us against Spain. They have waited patiently for the promised blessings to show themselves, wondering all the while why as a part or even an appendage, of a great,

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rich, enterprising nation they should be poorer than ever; and why they were obliged to choose between starvation and the distant exile into which many thousands have actually been driven to make a living.

Is it strange that after five years of this misery the Islanders look back with regret to the "good old Spanish days," when, although plundered and oppressed, they had work and food?

True, we have given them probably the best government, and certainly the cheapest, in the world; they have American protection without American taxation; they even receive for themselves the customs revenue, which in the States goes into the National Treasury. True, our Government and our people have bestowed liberal relief and assistance in their time of affliction; peace and good order are secured to them; education and sanitation are well provided for; justice is administered as never before, and the honesty and industry of the American officials are a constant wonder to the Island people.

What, then, do they lack? And why do they lack anything?

A little bit of history will answer these questions; and, strangely enough, will make it appear that they have been literally and actually "killed with kindness."

The Military Government.—Our occupation of Porto Rico began in 1898, and the Military Government held control for nearly two years. The greatest physical need of the Island was means of transportation. It had no railroads but a fragmentary Belt Line, which did not serve the interior districts, and only about 150 miles of wagon road for 3,500 square miles of territory. The fine fruits of the interior rotted where they fell, and only such crops were raised as would bear transport by pack-train or human porterage. But the Military Government was anxious to avoid scandals regarding franchises, and it discouraged all railroad-building, although abundant capital offered itself for that purpose. Indeed, the Governor volunteered his official opinion that railroads would never pay in an island so small and unproductive; not knowing, apparently, that at that moment almost the best paying railroad in the world was in a small tropical island, which had only a twentieth of the population of Porto Rico, and almost no production at all till after the road was built.

Civil Government.—But the opposition to railroads by the

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Military Government was as nothing to the paralyzing obstruction later interposed by the Congress of the United States. The "Foraker Law" organizing the Civil Government was framed with the advice and assistance of many well-chosen representatives of the commercial and political interests of Porto Rico; and, when it was passed, these representatives went home contented and full of hope for the future of their beloved Island.

The Foraker Act became a law on April 12, 1900, and for a few weeks the prospects of Porto Rico were so bright that thousands of Americans were drawn toward the Island, and many American and European capitalists turned their attention that way. Preparations were made for investments which would have much more than replaced the Spanish capital withdrawn, and would have given work at good wages to every man on the Island. This, with the good government established, would have made the Porto-Ricans the happiest people on earth. It would, moreover, have given us credit for a grand success in Colonial Administration. The production of the Island would have multiplied tenfold, and free trade with the United States would have developed the Island's commerce without limit. The chief products of the tropics are in quick demand here, and no other tropical region except the Hawaiian Islands has free entry into this greatest market in the world.

At least ten million dollars was ready to go into railroad building, and as much more each into sugar, coffee, tobacco, and fruit growing. It is safe to say that fifty millions in cash would have gone into the Island on these lines by this time; nearly three times that amount has been invested in Cuba, where there is no prospect of free trade with the United States, and no such supply of cheap labor as in Porto Rico; nor is there any other superior inducement for capital or enterprise.

The Trust Spectre.—Unfortunately, however, these preparations for settlement and investment were so much in evidence, and so widely advertised by their promoters, that it was feared by some persons in the States that the people of the Island would be lost in the rush of migration, the land monopolized by corporations and business generally taken possession of by Americans. This danger was purely imaginary. The Porto-Ricans themselves had no such fears; they knew that American labor could not compete with their own in that climate, nor live on the wages paid there;

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that the land was already largely monopolized by Spanish owners, but uncultivated for want of capital or enterprise; that land was not required by the agricultural laborers, and could not be profitably worked in small farms, but must be cultivated on a large scale with abundant capital, knowledge and skill; that their working classes only wanted employment at good pay, and that the trading classes could hold their own against any strangers.

But, unfortunately, this groundless apprehension was so strenuously urged upon members of the Committee on Insular Affairs of the House of Representatives that they were deeply impressed and only wanted the opportunity to protect the islanders by some legislation of their own devising.

The Committee was a strong one, composed largely of Chairmen of other Committees. These Chairmen, however, were busy with their own Committees, and the remaining members had a free hand in Insular Affairs; among them there happened to be some extreme advocates of capital restriction, and here was a chance to put their ideas in practice, and try them, on a people who had no voice in the matter.

Anti-Trust Legislation.—When the Civil Government went into operation on May 1st, 1900, several requisite appointments had not been made, and some officers of the Military Government were obliged to hold over; but this made these officers liable to lose their army commissions under the standing law on the subject, and it was necessary to suspend that law for this emergency. Senator Foraker, accordingly, introduced and passed through the Senate at once a joint resolution, exempting these officers temporarily from the action of that law. The resolution went to the House of Representatives and to the Committee on Insular Affairs, with the full expectation that it would pass in the House as promptly as in the Senate; but the Committee proceeded to tack on to this harmless, simple measure a complete code of regulations for franchises, and of restrictions upon corporate investment in the Island—such a code as never could have been imposed on any State or Territory in the Union.

The amended resolution was never discussed or understood in the House as being important, but was passed immediately and returned to the Senate, where Senator Foraker, Chairman of the Committee on Porto Rico, and others protested anxiously that the House Amendment endangered all that had been so gener-

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ously done for the Island. But President McKinley was anxious about the army officers who were in danger of losing their commissions, and he urged the instant passage of the resolution, saying that it could be corrected, if necessary, later on. The Committee on Porto Rico reluctantly yielded to his request; the resolution passed the Senate as amended; and a million helpless people were doomed to bitter disappointment, a large share of them to dire distress, many to banishment from their homes, and others to a lingering death.

Restrictions on Corporations.—The situation at this moment was described in the "Expansionist" as follows:

"Unfortunately, the passage of the Foraker Bill a few weeks before had 'opened up' Porto Rico at a time of great buoyancy in business; and numerous companies, with fabulous capital, were understood to have been set afloat for the capture of everything in sight on the island,—lands, mines, railroads, water-powers, municipal franchises, etc., etc. It seemed to the House Committee, therefore, expedient to 'put up the bars' and keep Porto Rico from being ravaged by these modern pirates, as it was in ancient days by the buccaneers.

"The Foraker law had given to the Executive Council, a responsible body chosen by the President and confirmed by the Senate, and forming the Upper House of the Legislature, the *full power to grant franchises*, subject only to revision by Congress. The House amendment required the Council to put into the body of every franchise it granted every vexatious restriction and obstacle that any Populist legislature had ever devised; *and, when it came to the question of lands, it cut loose even from Populism.*"

American Methods of Business.—The American method of doing business away from home is through corporations. No man of large means would go individually from here to Porto Rico to engage in land operations, when much larger opportunities with surer profit were offered at home; and no man of small means could afford to go there for that purpose.

Even on the Pacific Coast of the United States, where there are vast fountains of natural wealth and a constant inflow of home-seekers and health-seekers bringing capital to invest individually, the greatest development of cultivation has been through corporations formed for the purpose of buying land and improving it with irrigation, drainage, roads, etc., and then selling it to actual cultivators in small parcels.

Porto Rico's Restrictions.—Porto Rico is forbidden to have any of this development. Here is the law in brief:

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I. No corporation can buy and sell real estate there.

II. While it is necessary to have at least 5,000 acres of cane lands for a profitable sugar-mill, and many of those in Cuba and Hawaii have 20,000 acres, no corporation in Porto Rico can "*own* or *control* over 500 acres of land" for any agricultural purpose whatever.

III. No corporation of any kind can own any more land than it uses in its business.

IV. "*No member of any corporation engaged in agriculture shall be in any wise interested in any other corporation engaged in agriculture,*"—that is, a man who has a share of stock in a coffee company cannot buy a share in a sugar company without *breaking a federal law!*

The Result.—A few months' experience showed that these "bars" were too high, and it is no wonder that scores of incipient companies, forming for the legitimate development of Porto-Rican agriculture, died a swift death, when their counsel came to look up the law.

Effects of Restriction.—In consequence of this legislation, not a mile of new railroad has been built on the Island, excepting a short link previously begun by the French Company to connect up their belt line. The Council has repeatedly granted the best franchises the law permits; extensive surveys have been made throughout the island by various projectors and very satisfactory routes discovered, but the restrictions imposed have always made it impossible to secure capital for construction.

On this subject the "Expansionist" says:

> "The Island lacks nothing in the world to make it prosperous but to be set free from these cruel and absurd shackles. Its own Legislature is abundantly competent to make its laws regarding lands, franchises, and corporations generally.
>
> "As to railway franchises, this is a day of magnificent subsidies. Mexico gives $10,000 per mile in cash, and lands without limit; Canada does nearly the same; tropical countries, to offset their special risks, add mining rights and commercial monopolies to their inducements; while New York City, the home of capital, gets its rapid transit only through the greatest subsidy ever known, that is, by furnishing to the builder and owner the entire capital for construction and equipment. Porto Rico has no lands and no money and no rights to grant."

In addition to these drawbacks, the Council is obliged by the Amendment to put into every franchise it grants a provision that

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the same shall be subject to "*amendment, alteration and repeal,*" that it shall enable the *taking of the property by the public authorities,* and the *effective regulation of all charges.* With these powers in the hands of a local, foreign and possibly hostile legislative body, the capitalist naturally hesitates to invest.

Industrial Effects.—Sugar-making in Porto Rico is extremely profitable as compared with that in Cuba, which pays higher for labor and is subject to about $25 per ton duty in the United States. It would have been natural that a dozen or twenty great sugar *centrales* should be running in Porto Rico by this time, and probably that number of sites have been selected by American, French, English, and German capitalists; but only one company has been willing to defy the law of the United States and organize openly for the purpose; another party operates lamely as a syndicate, not being able lawfully to incorporate. The Island should produce a half-million tons of sugar annually, but only reaches about 100,000, or much less than in its palmiest Spanish days.

The same conditions obtain in all other lines of business, and the commerce of the Island is actually much less under American than under Spanish rule, though, of course, that with America has increased with free trade there.

For coffee, which was the chief product and export of the Island, the Spanish market was almost lost by the interposition there of a heavy duty; and no market has been found in the United States. Fruit-growing requires a large capital and years of waiting. Tobacco cultivation and manufacture need abundant means and great skill to rival the well-established industry in Cuba. Winter vegetables would be extremely profitable with quick transit to the States, but transit waits on production, and production on transit, and both on capital and enterprise.

Is it strange, then, that the rich soil of the Island is growing jungle, and the hearts of the people filled with discontent?

Why Does the "Embargo" Continue?—It would have been so easy to remedy all this by a simple repeal of the resolution, after its original purpose had been served, that one wonders why it has not been done long since. The people and friends of Porto Rico have beset the Committee for years, asking its repeal, but the laws of the Medes and Persians were not as immutable as this hasty and unconsidered enactment.

Whether the Committee still believes its "protection" is neces-

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sary; whether it is reluctant to take the back track; or whether it is afraid of being esteemed a "tool of the Trusts," no one knows. But the mischief it has unwittingly done can still be repaired, though it may take many years to restore the happy prospect of four years ago. The Porto-Ricans have lost faith, and the Americans have lost interest; the substantial conditions, however, remain as favorable as ever, and time and opportunity may revive the brightest hopes ever entertained for "Puerto Rico," the "Rich Gate" of the West Indies and the Spanish Main. Some of these conditions, and some of the dreams of the Island's future once cherished by the writer, may serve to lighten this gloomy picture of "Porto Rico as it is."

Porto Rico's Expectations Before the Embargo.—The following memoranda were made by the writer in the spring of 1900, before the "restrictions" were imposed:

"I. We import into the United States annually nearly $300,000,000 worth of tropical products, mainly from countries much more remote than Porto Rico.

"II. Porto Rico is the only tropical territory belonging to the United States except Hawaii, which is too far distant to be of any importance to the Atlantic Coast. It is also the only tropical region, again excepting Hawaii, which has free trade with the United States.

"III. Under the present tariff, free trade is an enormous bounty on many tropical products. For instance, on oranges and other citrus fruits the tariff is one cent per pound, which on a mature orange grove in good condition would amount to at least $200 per acre for each crop of fruit.

"IV. Labor in the Island is very cheap, and will always be abundant. American conditions of security for the returns of labor, and enterprise for the employment of it, will attract laborers from all the other islands and from the near-by mainlands. The native labor is very good considering the climate; the writer employed some thousands of men in road-making during the Spanish War, and found them remarkably faithful and efficient.

"V. Cultivation in Porto Rico can be devoted almost entirely to exportable crops. The Island cannot afford to grow its own food, since by growing more valuable products for exportation it can import its food-supplies in quantities much greater than it could raise. For instance, one acre of winter vegetables sold in New York will buy at least ten acres of potatoes, beans, etc., grown in the States; one acre of sugar will buy from eight to twelve acres of wheat; an acre of oranges, bananas or pineapples will buy ten to twenty acres of corn or cotton.

"The new conditions of the Island,—that is, the opening of trade with the United States, freedom, good government, and free importation of food from the States,—will enable it to support a population more dense,

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perhaps, than any other region in the world. Certainly five millions of people can live well on what the products of the Island will purchase. At present, not more than one-fourth of the soil is under cultivation, mainly for want of transportation in the interior. More than half the Island is in pasturage; and, though cattle-raising is profitable, these fertile lands will now come under the plow. Better methods of agriculture and horticulture will be introduced, and the general yield per acre greatly increased. American capital will soon flow into the Island and the rates of interest, which are now a crushing burden upon all enterprise, will be reduced to something like the American level.

"Another most important attraction which the Island will present, if the principles now governing American control are maintained in all their generosity, will be, probably, the lowest rate of taxation known in any civilized community.

"It costs us in the United States, men, women and children, from seven to ten dollars per head annually, as we are in peace or war, to be American citizens—that is, for the protection of 'life, liberty and the pursuit of happiness.' Porto-Ricans, while they have the same practical protection, pay nothing toward the support of the army and navy, the civil service, or for pensions, public debt, lighthouses, life-saving, or any of the functions or activities of the general Government of which they enjoy the benefit. They have no public debt of their own, and they have the benefit of all the customs collected on Porto-Rican imports, without any deduction for the cost of collection."

Porto Rico as a Winter Resort and Residence.—Whenever the people of the Island are well employed and properly fed, and their misery thus ceases to afflict the traveller, and when better accommodations are provided for travel, better steamers, railroads and hotels, Porto Rico will become a winter resort for Americans and Europeans, for pleasure and health. Its foreign aspect, its matchless scenery—a combination of the grandeur of the Alps and the beauty of the tropics—its delightful winter climate, and the courtesy and hospitality of its people, both rich and poor, will attract visitors by thousands.

The location of the Island at the gateway of the Caribbean Sea, and at the crossroads of the two great lines of commerce which will flow between North and South America and between Europe and the Pacific Ocean by the Isthmian Canal, must soon make it one of the world's great centres of commerce and exchange, and develop one or more great cities which will rival in population those of the Eastern tropics, and in healthfulness and many other attractions vastly surpass them.

There is a constant movement from the colder climates of the

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world toward the warmer, and millions of people are seeking tropical or subtropical homes, but there are not many places that are attractive to cultivated people. Following the belt of the tropics around the earth, there are few regions that one would even stop to consider, and those few have generally some serious drawback; they are either too hot, too wet, or too distant from civilization, or they are badly peopled, misgoverned or habitually revolutionary. But, with Porto Rico properly improved, America can offer to the world an ideal semitropical refuge. It possesses the natural advantages of an even climate, never cold, and never hot as compared with the extremes of summer in our latitudes, and always tempered by the sea-breezes of the northeast trades; it is accessible from America in two days' sail. With these natural advantages, and the attraction of a peaceful, sociable and hospitable population, if it is provided also with railroads, schools and colleges, well-kept towns, and all the modern ameliorations of city and country life, it will draw travellers and settlers without limit.

The cheap water-power of the Island and the perpetual cheap labor, which is insured by the low cost of living, will make it one of the best places for manufacture in the world.

The current having once set towards Porto Rico, quicker steamers and better accommodations will be provided, and these in turn will increase the travel. The fashionable world, already tired of the old resorts, will flock to a new one. Many will build their own cottages or castles, and somewhere on the mountains of the Island there may arise a city of palaces like Bar Harbor or Newport.

Meanwhile, commerce will not be idle. The peculiarly favorable situation and conditions of the Island will point it out as the proper gathering and distributing centre for the trade of the West Indies and the neighboring mainlands. Lines of coasting steamers will connect it with the other islands and ports, and gather their products for the great liners which will call and the ocean tramps which will rendezvous in Porto-Rican harbors.

ROY STONE.

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THE URGENT NEED OF WATERWAY LEGISLATION.

BY LEWIS M. HAUPT.

THE bone of contention in the struggle for commercial supremacy is trade and that country is the best equipped for the contest which can deliver its goods at least cost and longest range. To accomplish this involves the ability not only to compete in first cost, but to retain control of the avenues of transportation so as to prevent the discriminations in rates or delays in deliveries incidental to carriage by aliens. Hence arises the urgent necessity for an ample merchant marine with the indispensable adjuncts of capacious channels, ample terminals and numerous overland feeders.

Since the charge for transportation is a factor in the assembling of the raw materials as well as in the distribution of the finished product, it is important to remove all conditions which may tend to raise the tariff, whether tolls, commissions, storage, break-of-bulk, demurrage, friction or other physical resistances.

Thus the main considerations in the selection of the site for a manufacturing plant are the geographic, geologic and topographic environments, so far as they may afford facilities for the supply of the raw materials and distribution of the finished product by competitive routes to the market at least cost.

Great mobility is essential to success, as is illustrated in the history of the maritime nations of the world. This is attributable directly to the fact that the physical resistance of a fluid to a body moving through or upon it is much less than that of a solid, and hence the cost of overcoming it is a minimum. This superiority of the waterway cannot be taken from it, and it is the part of wise statecraft in any country to utilize it to the fullest extent by the improvement of its rivers and harbors.

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The repeated failures of the bill providing for this class of improvements in this country, and the strictures which are made upon the distribution of the funds, show that local and vested interests are not yet convinced of its incomparable advantages to all industries, and point to the necessity of citing, both from history and precedent, to demonstrate the necessity of the greatest liberality in the conduct of works of this class, not only by the National Government but by all parties at interest—including States, municipalities, corporations and individuals, without conflict of jurisdiction.

It is manifestly impossible for the Government, limited as it is by the numerous demands for its fixed expenditures, to provide for the early improvement of the multitudinous projects already recommended for commercial purposes, which aggregate nearly $500,000,000. Still, as the Government holds jurisdiction, there is no inducement for localities to invest their funds in improvements over which they have no control and from which they cannot derive a direct return by the collecting of tolls. Many such localities have been petitioning Congress in vain, for a score or more of years, to be permitted to relieve their necessities or to have the obstruction removed from their commercial outlets, because there is not sufficient tonnage at the locality to justify an appropriation. It does not seem to be appreciated that there can be no large amount of traffic because of the presence in the channels of obstructing bars, which must first be removed. This can only be done, under existing conditions, by the consent and aid of the Government's officials, and that cannot be obtained because of the excessive demand, so that the general development of even the smallest tributaries is congested and unimproved.

As an illustration, it may be said that the Pittsburg district has been knocking at the doors of Congress for the past decade for a national charter, for the construction of a canal between the Ohio River and Lake Erie, but to no purpose. This canal would save on the ore used in this section over $5,000,000; on coke, the saving would be over $1,500,000; on coal used in the district, $5,000,000, and outside of the district, $7,000,000; that is to say, on these few items of low grade, about $18,000,000 a year would be saved to consumers, without reducing the wage-scale one iota. Although the locality is not asking for aid from the national treasury, but simply for recognition and confirmation

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of authority already granted by the States interested, that recognition and confirmation are withheld because of the urgent demands for legislation in other directions. As the Hon. John Dalzell has aptly said to his constituents:

"In such a great country as ours, with its innumerable waterways, streams and harbors, its varied and sometimes conflicting local interests, it has been found next to impossible to avoid the contemporaneous improvement of public works, little by little, to the unavoidable delay in their completion. It would be manifestly to the public advantage in the long run if a policy could be adopted which would, without delay, continue from commencement to immediate completion improvements recognized to be national in character. . . . This canal for which Congress is asked to provide a charter is to be built without Government aid, and is therefore a voluntary contribution to internal improvements, without cost to the taxpayer, and ought to command the unhesitating approval of every man, legislator or layman, who has at heart the interest of our commercial development. . . . I am one of those who believe that the general welfare would be immeasurably advanced if all interstate commerce were transacted by corporations created by Federal authority."

Further he recommends a general law, resembling the English Companies' Act, authorizing corporations to make public improvements. In short, he would return to the policy which existed in the early part of the last century, under which our highways, canals, railroads and telegraph lines were constructed. Imagine, if possible, the condition of these communications to-day, if each company had been compelled to go to Congress for authority to build its line, or, still worse, if the entire system had been obliged to await the allotment of public funds from the national treasury. Sectionalism would have been rampant and patriotism buried in the scramble for precedence, as would be the case to-day over the appropriation for our rivers and harbors were it not for the conscientious sifting and fair-mindedness of the Committee to which this subject is referred. But this Committee cannot spread a few millions over the entire domain and the insular possessions of the United States and secure rapid and determinate results, so that the urgent necessity exists for general legislation which will enable greater progress to be made without calling on the Government for appropriations, which are resented by sections of the country not directly benefited.

To this end it would seem just, as well as practical, to divide the works upon rivers and harbors into three classes:

1. Those which are strictly national—such as the great trunk-

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line waterways constituted by the large rivers and their immediate tributaries, and the principal harbors. These general improvements should be cared for from the national treasury.

2. Local or State improvements, including the harbors and streams of the States, which are sources of revenue to the districts in which they may be constructed—as, for example, the Erie Canal or the Chicago Drainage Canal, which have amply repaid the States contributing to those works, for their munificent expenditures. These improvements should be controlled by the States.

3. Other minor and local improvements where, at present, there is little or no commerce to justify Government appropriations, but where, by the development of local resources, a large output of raw materials may be secured for the market which could not be produced by any other system of transportation than by water; or where power-houses may be established which require canals or slack-water systems to furnish the motive power for the plants—as at the Sault and the Niagara power-installations. There are also many minor inlets along the coast which are a menace to navigation, and which have been reported upon as being "unworthy of improvement," yet which would serve for the navigation of light-draft vessels engaged in fishing, or for refuge or pleasure launches, if moderately deepened. Such improvements might be accomplished by local authorities if they were not restricted by the prohibition at present exercised by the National Government, which denies them appropriations because of the absence of sufficient tonnage to warrant consideration.

Recognizing the defects of the present policy, the act recently passed by Congress very wisely releases three items to the control of private corporations, with the privilege of collecting tolls, but providing that the Government may recover control should the public interests demand it. This policy might be extended to the third class of works outlined above, with great economy to the service and a far more rapid development of the resources of the country.

The authority of Congress thus to delegate its powers to regulate commerce by the chartering of private corporations to construct roads, railroads, canals, bridges, telegraph or telephone lines or to make other improvements in lines of communication is too well established to be questioned. In delivering an opinion

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on the authority of Congress to charter a railroad corporation, Chief-Justice Marshall said:

"The power to construct, or to authorize individuals or corporations to construct, national highways and bridges from State to State is essential to the complete control and regulation of interstate commerce."

This opinion also accords with the practice; for, as early as 1790, Congress ratified certain State laws authorizing public improvements by private companies. Georgia was authorized to levy a tax for the improvement of the Savannah River. Virginia incorporated a company to improve the James River in 1816. Alabama set aside five per cent. of the proceeds of her land sales for roads, canals and rivers. Pennsylvania authorized the building of a large number of turnpikes, the first of which in the United States, connecting Philadelphia with Lancaster, was opened in 1794 at a cost of $465,000; and in 1825 she began an extensive system of public works which, by 1845, exceeded that of any other State in the Union and cost over $80,000,000. At that date, the State owned 715 miles of completed canals and only 118 of railroads. Private companies owned 380 miles of canals and 700 of railroads, and there were at that time 2,000 miles of stoned and gravelled roads all owned by private companies. The State and private companies had constructed thirty bridges from one-quarter to one and a quarter miles in length, with numerous smaller structures; and it exercised general jurisdiction over its streams to build dams, create water-powers, improve navigation, build water-works and maintain navigation or build bridges, without securing authority from the general Government or having its plans or methods approved by any of its departments. All of its works are now operated by corporations, and it has not even a State Engineer or Department of Public Works.

With but few exceptions, this general policy of the States, exercising control over their public works, remained inviolable and it was not until about 1867 that the general policy of improving the rivers and harbors was assumed by the Government.

But, in the rapid development of the railways of the country, it was soon found that they could not compete successfully with the cheaper water routes; so that a war of extermination began to be waged upon the canal routes, which were gradually purchased and exterminated, while the rivers were placed under the control

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of a central body, where they could be more readily regulated than under corporate management—for it was not appreciated then, as it is coming to be to-day, that the waterway was beneficial as an important adjunct and generator of traffic of the most profitable class for the railroad, and that manufactories could not exist without them. The hostility of the railroad interests to the improvement of the waterways was not so aggressive as long as the appropriations were relatively small; but, as they increased with the growing demands from all sections for relief, the passage of the appropriation bill became more and more uncertain. It became a recognized part of the programme to introduce appropriations for isolated sections, quite important in themselves, but having no direct connection with the general system of interstate commerce, in order to secure enough votes to pass the bill; and it has been found to be further necessary, to insure the continuation and completion of works before they are destroyed by the elements, to have recourse to the "continuing appropriations" carried in the Sundry Civil Act.

The difficulties of passing this measure are well set forth in the report accompanying the bill submitted to Congress by Mr. Blanchard, Chairman in 1888 (the present Governor of Louisiana), in which he referred to the experience of the bill of 1882, which carried an appropriation of $18,738,875, the largest amount up to that time of any bill reported, but which the President vetoed and Congress passed by a two-thirds vote. In commenting on this action, the Chairman said:

"Thereupon, many of the newspapers at the great railroad centres raised a hue and cry against the act and against those by whose votes it had been passed, making use in the attack of the grossest misrepresentation and personal abuse, in the endeavor to blind the people to their own interests. . . . It has come to be seen that it is of prime importance, for the protection of the public from the undue exactions of the railroad companies, that the great natural highways of commerce, the waterways of the country, should be placed in the best condition to compete with them."

Under this conviction, a bill was reported carrying $19,494,-783.13, which was "less than twenty per cent. of the aggregate of the local engineer's estimates, including new projects." This would make the total estimates of works then recommended to be about $100,000,000, whereas to-day it is nearly five times that

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sum, so that the appropriations are far from keeping pace with the demands of commerce.

This bill was presented to President Cleveland, July 31, 1888, but was not returned to the House of Congress in which it originated within the time prescribed by law, and hence became effective without his approval.

Numerous instances might be cited of the failures of these appropriations, which appear to be becoming more frequent, but space will not permit more than a brief reference to the waterways of other countries and the significant lessons which their experience has taught them as to the great value to their railroads and all other interests resulting from the improvement of their rivers, canals and harbors.*

In a recent paper on the "British Canals Problem," Mr. Arthur Lee presents some striking comparisons, which are quite pertinent to the conditions existing in this country. Speaking of their relations to the railroads, he states that it was assumed that the railways would meet all the demands of commerce, so that they were allowed to secure control of 1,138 miles of canals out of a total of 3,906, and "these were so adroitly selected as to strangle the whole of the inland waterways." He adds that, with the single great exception of the Manchester Canal (built by local enterprise), no improvement of any consequence has been made in the system of inland waterways which was in existence before 1825.

In Reports of British Consuls upon the relation of waterways to railroads, seaports and trade with foreign countries, it was stated that in France a great development has sprung from the improvement of the waterways, as instanced particularly by the canal connecting the Marne with the Rhine, "along the banks of which factories and furnaces are so numerous and press so closely upon each other that one might imagine them to have sprung from the earth." In fact eighty-three per cent. of the industries upon its banks have been established since the canal was cut.

The expenditure in France of $135,000,000 on navigable waterways has been attended by a great development of water traffic, and it is worthy of note that the railway traffic has also largely

* For a fuller presentation of this question the reader is referred to a paper, entitled "The Lesson of the German Waterways," by O. Eltzbacher, published in the "Contemporary Review" for December, 1904, and to another on the "British Canals Problem," by Arthur Lee, in the "Journal of the Society of Arts" for December 2, 1904.

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increased. The total length of first-class waterways was increased between 1872 and 1900 from 906 to 2,930 miles of newly constructed canals, some of which are under private control.

In 1900, the mileage of the German waterways was 8,798 miles, and other extensive projects are contemplated in consequence of the admittedly great economies of the water-borne traffic.

Austria-Hungary has expended about $105,000,000 on her 4,000 miles of navigable waterways, between 1848 and 1898. For a time, the railroads were in the ascendant; but soon there was a reaction in favor of the water routes, as the railways were not in position to grant as cheap rates as the economic interests of the country demanded, especially for low-grade traffic. In June, 1901, the Government voted $50,000,000 for an extension of the navigable canals of Austria.

Belgium has expended $90,000,000 on her navigable waterways and harbors between 1875 and 1900. They are operated in part by the State, by provinces, or by communes or municipalities, with a small percentage under the control of companies or individuals. The tidal rivers are exempt from tolls; but, on the canals, a small tariff is collected. On slack-watered rivers the rate is less than one-twelfth of a cent per ton per kilometer; and on canals it is only one-fortieth of a cent. The traffic increased 124 per cent. between 1880 and 1900, during which time the railroad tonnage trebled.

A similar experience is recorded in Holland, where the ramification of the canals was supplemented by railroads to the great benefit of both. The State built the railroads and turned them over to a private company to provide the equipment and to operate them, the companies paying a small revenue for the franchise. Between 1862 and 1901, about $85,000,000 was expended on waterways. The tonnage of the Rhine and canal traffic advanced from 1,420,257, in 1892, to 4,433,257 in 1899, with great increase in the amount of freight carried by the railroads. In short, the experience of Continental countries shows that an increase of tonnage on the canals led to a corresponding growth on the railroads.

In Great Britain, that most powerful of the maritime nations, the rivers and harbors are created and maintained by private parties or by municipal corporations; and the proposition submitted by the Manchester Corporation, to have the State assume

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control of all such works, was strongly opposed as contrary to good policy. The problem can best be solved, it was said, by giving powers to local authorities to form canal boards in certain districts, to improve and unify the routes lying therein, as is done in the case of the roadways. Mr. Balfour remarked that "he had not heard it suggested that the Government should undertake the work of developing and managing inland navigation. He must dismiss that proposal; nothing was more alien to our general way of managing things in this country."

Sir Michael Hicks-Beach, in discussing a proposition to authorize all canals to be taken up by local authorities, either singly or combined, for the purpose of being improved, said: "That was a practical proposition, which, he thought, certainly deserved the consideration of Parliament." This view was strongly supported by the membership of the Society of Arts. It was felt to be a businesslike proposition to rehabilitate the internal waterways of the Kingdom, that the cost of manufacturing might be still further reduced, and Great Britain be thus enabled to compete more effectively in the world's markets, without further reduction in the wage-scale.

These few citations from actual experiences, under varying conditions, should serve to impress upon the most incredulous the fact that the improvement of the internal waterways of the country is not injurious to the great railroad interests, and that, notwithstanding the apparent reduction in rates due to the competitive water routes, there are advantages which far outweigh the small loss of revenue that may possibly result from the withdrawal of the bulky freights which are too often carried at a loss and serve to congest the terminals, and which require a much larger equipment for the storage of goods in transit.

The policy of restriction of the waterways of this country is dominated by some power which is unfavorable to their improvement, and which does not yet appear to appreciate the great and lasting benefits to accrue to the nation from the ability to ship its products by the most economical routes to the markets of the world.

Relief can only come from legislation, and that does not seem to be forthcoming so long as the Government retains sole jurisdiction over all the waters of the country that now are or may hereafter be made navigable, and does not take the initiative in their improvement nor permit competition in the plans or methods

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to be pursued in their development by localities, even where the Government has reported them unworthy of improvement by its own method.

As an illustration of the great waste annually incurred through the absence of capacious channels and liberal legislation, it may be said that the Chesapeake and Delaware Canal, connecting the bays of those names, which is only fourteen miles long, has been urged upon the Government for enlargement by its most competent officials and by various commercial bodies, to no effect, for more than a score of years. This work would cost less than the price of one battle-ship, and would increase the efficiency of a whole fleet at least twofold. It would save $1,000,000 on the coal bills of the New England consumers of this commodity, and enable coastwise tonnage to avoid the dangerous détour around Cape Charles, of about 400 miles, with its doubled rates of insurance and loss of time. Yet the measure cannot get farther than a unanimous report from the House Committee having it in charge, on the plea of "economy"; and yet large appropriations are still made for battle-ships. In consequence of the failure to legislate, this toll-gate continues to restrict interstate commerce, as its capacity is sufficient to pass only three per cent. of the coastwise vessels, which have outgrown the draft of its locks.

While the Government is proposing to expend over $200,000,000 for a canal connecting the two oceans, which will be used by our foreign competitors carrying American products far more than by ourselves, it does not see the wisdom of removing the obstacles to the interchange of the nearly 90,000,000 freight-tons of produce tributary to this single, short canal, which could be done in a few years at a cost not exceeding $7,500,000. The whole traffic of the Panama Canal, it is estimated, would not exceed about 7,000,000 tons for the year 1909, and most of that would be foreign. Considering the cost, the Chesapeake and Delaware Canal is one of the most promising canal propositions on the globe.

The State of New York has determined by its referendum to expend over $100,000,000 in increasing the depth of its canal by only three feet, making it twelve, in an effort to compete with the Canadian canals of fourteen feet, which are being still further enlarged to twenty feet, yet the "Anti-Canal League" attempted to place legal obstructions in the path of even this small increase

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of facilities, not foreseeing that the trade of the greatest port of the United States would be further reduced and driven across the border, forgetting that the railroads would likewise suffer a relative loss of tonnage. Is this good policy or wise statecraft?

Again does history impress upon this generation the misfortune of neglecting golden opportunities, for to-day the capacious system of the St. Lawrence Canals through Canada and the projected Georgian Bay waterway to Montreal is but a realization of the forecast made as early as 1835 by Governor Marcy, who stated in his recommendations to the Legislature of the State of New York that there should be a "ship-canal from the Hudson River to Lake Ontario and another around the Niagara Falls. . . . The Government of the Canadas is making vigorous efforts to render safe and easy the navigation of the St. Lawrence, with a view to direct the business on Lake Ontario, and the region above and around it, to Montreal and Quebec. One of the principal objects of the proposed ship-canal is to countervail these efforts and draw this business to the city of New York. The enlargement of the Erie Canal will, to some extent, contribute to this object. It will be for you to determine whether the additional advantages of a ship navigation are of sufficient importance to call for the construction of such a work."

The sequel shows that our Canadian brethren were wiser in their day than our forefathers, and that, even with their limited population and resources, they heroically applied themselves to the task and have won the prize. If Governor Marcy could speak to this generation to-day he would only be able to say, with sincere regret, "I told you so, and yet your eyes are not open; your commerce is being diverted by the lines of least resistance to Canada and the Gulf, because of the greater cost of the overland haul and the break-of-bulk on your limited waterways."

Further illustrations would seem to be unnecessary. The great need of the nation is remedial legislation, which will release the waterways of the country from the exclusive jurisdiction which now throttles their channels and commerce, and which will permit them to be enlarged and improved, without cost to the Government at large, by private capital wherever the local resources are such as to justify the enlisting of sufficient money in the projects, as is the policy of the world's greatest commercial nation.

LEWIS M. HAUPT.

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WOMEN ON SCHOOL BOARDS.

BY KATE GANNETT WELLS.

THE position of women on School Boards, a natural and logical office for women, is still somewhat anomalous, unless they are content to fill an advisory rôle. In that capacity, if their counsel is offered tentatively, it is heard respectfully; and the chances are that it is likely to be finally adopted as the joint product of Committee sessions rather than as the outcome of feminine initiative.

The success of a woman on a School Board depends chiefly upon how far she is willing at first to subordinate herself, until she has understood her new environment, school legislation, present fads and prospective ideals. If she begins her official duties with the tacit assumption, even if only to herself, that she knows it all and that it is incumbent upon her to reform methods and measures instantly, she soon finds her sphere of usefulness narrowed.

If, on the other hand, she observes carefully, questions circumspectly, keeps her inferences to herself, does not generalize inductively until she has a wide acquaintance with facts and persons, is neither eloquent nor personal in discussion and votes without aggressiveness, she is sure to grow in favor with Boards, Committees, teachers, parents and pupils.

She should no more ignore her sex than she should obtrude it. When a woman proudly states that she has been treated by her masculine coworkers as if she were a man, her declaration is no compliment to them and is a condemnation of herself. Having been elected because she is a woman, she should never give away her dignity by belittling her point of view as a woman. And yet she should be competent to regard all questions from an impersonal standpoint, and as related to precedents and possibilities. The more she is of a woman, using that word in its noblest sense, the greater will be the good she can effect. That, being a woman,

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she can, of course, indulge "in politics" goes without saying. Fortunately, most women serving on School Boards are single-hearted in their labors, and enjoy the privilege of working for their State, city or town without compensation, as their contribution to the service of their country.

Their relation, however, to the general public is often as disappointing to the public as to themselves and to teachers. What the many want, the one woman on a committee can effect only when her comembers vote as she does. So much is now being done by organized educational philanthropy for "our schools," that measures, wise and needful considered by themselves, but financially impracticable, are sometimes urged with a grim insistence which is the result of partial knowledge. And, even if moneys should be charitably furnished to carry out such proposals, a kind of special legislation might arise by which reforms dominated by an organization or by an individual would be granted to the one offering the highest sum for the sake of the public good. An extreme instance of this external care over a School Board was that of some "friends of the public schools" who wanted dissection forbidden because it caused so much pain to animals. The "friends" knew neither the scope of their work nor the school laws.

But, as proof of the good that an individual woman can effect, the success is recalled of one, who was a member of the Boston School Committee for fifteen years, entrusted by it with important positions as chairman and counsellor; who was honored by the masters, beloved by the women teachers, adored by the children; who never deviated from rectitude in all her official acts, and who adorned her pedagogic knowledge with grace of heart and manner.

Perhaps Boston, more than any other city, owes much to the women, who on or off her School Committee have benefited her public schools, for widely known are the advantages conferred upon her school system through the wise generosity brought to bear upon it by two women, who yet never held any official relation to it. To the initiative of Mrs. Quincy A. Shaw is due the introduction of the Kindergarten and much of manual training. To Mrs. Mary A. Hemenway was due the establishment of sewing, cooking and Swedish gymnastics as branches of school work. It is an old story now, but always new if one would learn from it

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how patience must accompany munificence, and how personal zeal must be tempered by wisdom and appreciation of temporary conditions, yet without losing sight of the end desired.

"But the most important work," exclaims the modern philanthropist, "is to take our schools out of politics." We should never admit that the schools are in politics, says the woman, elected or appointed, who works for them without thought of self-aggrandizement. Given wise organizations and clubs caring for the schools, but trained in "hindsight" and endued with foresight, also a Board which does not mistake the accidental for the permanent, and which couples sympathy with justice and economy, and our schools can become the strength of the nation. Possibly it is somewhat to be feared that, in women's eagerness for social service, they may scent reform or invent educational fads at inopportune moments, their zeal outrunning their discretion, for nowhere is it truer than in school work that evolution is better than revolution.

Any unofficial inspection of schools must depend largely upon local conditions. A Woman's Club can call attention to the need of improved sanitary school conditions in many a town or city. It can encourage schoolroom discipline by showing mothers, who think their children need none, that system and method are more essential than favoritism; and it can brighten the lives of children by pleasing hints to them of their responsibility for clean schoolrooms and other refinements, until each child feels he is vested with the guardianship of something, even if it is merely to be "monitor of the buttons" that ought to be on some other child's buttonless garment.

What, then, is the peculiar, distinctive work of women on School Boards? The same that it should be everywhere—the motherhood of hospitality, personal attention to details, freedom from partisanship, sympathetic breadth of view, the enrichment of school life, the development of hygiene and domestic science and the giving of a large amount of time that must presuppose sufficient leisure from other interests to spend days where men spend hours, and hours where men give minutes.

Of course, men should and do have the same work; but, from the multiplicity of their ways of bread-winning, they have not usually the same largess of time to give to schools as such, which women have; or else their service may be only legislative, broadly

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important as that is. A man's work is more directly connected with finances and erection of buildings; yet, alas for the school-houses which have not also a woman's suggestions as to their requirements! In other words, a woman's work is more directly work *in* the schools, *with* the teachers and children. This is what is meant by the motherhood of hospitality. If a dirty or puny child is repellent to her, she can do no good to him or his teacher. But, if she sees in him a boy who needs mothering, she can help the weary teacher to arouse his interest in new ways. No matter how inventive an instructor, her inventions now and then pall before the initiative given by the stimulus of the outsider, the Committee woman; only the latter may not deem herself infallible in theory when confronted with the daily experience of the teacher.

The brightness which the official woman can bring into a school by the tones of her voice, her genial "good morning" to all, is like the freshness of a west wind. But, if she deems it her bounden duty to make a little speech in each room, her ministrations will soon grow stale and unprofitable; while, if she joins in the lesson that is being given and makes herself as a pupil, scholars and instructors alike are helped by her avidity to be one with them.

This motherhood of hospitality includes teachers even more than pupils. The Committee woman should understand each instructor's foibles and strong points, her mannerisms and methods and her personal history, at least as far as it affects her teaching. Here sympathy and suggestion play their most beautiful part. She probably will know far less than the teacher of technical subjects; but, in all likelihood, she will have a wider outlook than a special instructor, understanding how subjects can be correlated without weakening them, and being an adept in the art of fresh illustration and of earnest pleading. She should never be so ignorant as to consider teachers as in a class by themselves, for they never are, any more than parents; and she should never be so ludicrously presuming as to think she can improve them by social teas, when the equality of friendship is lying all abroad for any one who will embrace it. They need pay no initiation fee to learn of her. All the same, if she has not the impalpable protection of her own high breeding and generous sympathy, she will be nothing but a mere official. Yet, by her discretion as much as by her sympathy, can she lessen the discontent

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of many a teacher with her salary and surroundings, even though no tangible result appears. At least she can aid in dispelling the notion that the teaching profession is to be embraced from a desire for social recognition, or is a more honorable calling than any other honorable profession.

She should, however, insist upon a teacher's "personal fitness," the pedagogic term for being an agreeable-looking, pleasing-mannered, well-equipped, delightful instructor; to use the epithet of a certain wise school Superintendent, "a teacher must be well set-up."

Not striving to accomplish the dreary monotony of making teachers alike, the official Board woman should endeavor to help each one to work in the way best fitted for him or her, measuring each teacher relatively to capacities rather than to a prescribed system. Fortunately, "individual teaching" is becoming a fad. Long may it survive other fads! The official woman, just because she is a woman, will be so often asked to help other women that she has to take upon herself a kind of private civil-service obligation, while insisting upon the fundamental principle that, all other things surely being equal, a woman should receive the same salary as a man for the same work.

Also it goes without saying that, whatever she may feel, she should never show partiality in a school building. If she cares for one teacher more than for another, as she surely will, it should be a personal matter, independent of the school. The teacher, on her part, quickly takes the measure of her official superior; and, though treating that functionary with the outward respect due the position, knows that she does not count for much in running the machine system of a school. Just because this is often the case, does the Board woman fall back upon personality as the lever by which she hopes to elevate system. If her term of office is long, she will have proved the nobility of her friendship, and also will have effected much good in the system before her successor arrives. She cannot afford, however, to be considered as ready to entertain the complaints of any one connected with schools. Such alacrity would be too subversive of authority. She may fancy she can ascertain the real state of affairs by asking questions. Yet, as a Principal once said of an official, "Questions were asked in such a way that my subteachers at once suspected something was wrong." As a rule, it may be better to hit wide

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of the mark than to aim accurately in questioning; then one will learn something, even if not what was wanted; collateral evidence is valuable to be stored up for future use.

It is in attention to details that the Board or School Committee woman can most easily make her impress upon a school. The sundry minor necessities of a well-kept schoolroom and a well-furnished teacher's table; of decoration by color, photographs, casts and plants; of chaste furnishings in school parlors; of friendly relations with janitors and engineers, who are so important in running a school smoothly, are part of the domain in which her supervision can well be exercised.

Never should she criticise one teacher to another, save to the Principal, nor the Principal to any of his faculty. Never should she impose her way, as hers, upon subteacher, Principal, Superintendent or janitor. Nevertheless, if it is the right way, she will gain it through patience and courtesy. Herein is the wise, gracious Committee woman an immense help to a school curriculum.

Never should she be ashamed, lest it be deemed not pedagogic, to insist upon character as one absolute requisite in the granting of a diploma, even of a Normal or college graduate. But then she must understand character, and not merely be fussy. She will, moreover, soon find that the ends she wishes to see accomplished arrange themselves in groups, such as tenure of office, probation, and retiring allowances; examinations, competitive and qualifying; clerical assistance and Sabbatical years for teachers; modification of present lavish graduation ceremonies, and of elaborate entrance examinations and marking systems; the proper age for "coeds" and "coords," or for early separation of boys and girls in school life. These are a few of the problems with which women are well fitted to deal, and which to some degree must be answered by any one on a School Board. With slight confidence in methods as such, she yet will be merciful to pedagogy, and tolerant of the various contrivances for making studies easy for pupils and hard for teachers. And, just because she herself is not daily teaching, will she often know best how a lesson should be conducted.

Above all, her knowledge of school legislation should be exact and full, else she constantly will get into trouble. But she should be well skilled in reserves, neither saying how little she

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knows nor letting it be known how much she knows. Proportion should be the watchword by which she tests her own conclusions, the decisions of Principals and impersonal systems. It is in this way that an all-round Committee or Board woman will neither undervalue the "triumphs of imagination" nor "the contents of a child's mind." Not indulging in hybrid correlations of studies, she will comprehend the complex phases of a school curriculum and adjust them to the social life of the community.

Our schools are undergoing great changes; for the old values of the church and home, which supplemented limited school forces, are far less existent to-day than they were thirty years ago, schools now forming the chief means of assimilating the interests of boys and girls with the best issues of national life. The earlier educational "essentials" are now often denuded of thoroughness in favor of a curriculum embracing hygiene, athletics, enjoyment, nature study, manual training, on the ground that education is a matter of feeling and will-power, as well as of coordinated intelligence. It is right that the mechanics of old, rigid school systems should give way before the advance of really rational, sympathetic intelligence, which, however, should not include "frills" according to each interested party's fancy.

It remains for women on School Boards to hold the position they have gained by doing their work according to the feminine nature with which they are endowed, and not as overweighted officials, burdened with a discourteous and undue sense of their importance to the community. Let them do their work with pure joy in doing it. Then can they hold themselves and men, their coworkers, upon the highest levels of single-hearted simplicity, intuitive sympathy and executive efficiency.

For many decades there has not been a time when increased legislation on behalf of schools is more sure to come than now. Not alone are means for increasing expenditures, if only on account of numbers, to be considered, but the very extent of free public education is being freshly determined. Is it in the East to include, as in the West, State universities? Is it to furnish technical trade schools? Is it to assure the health and pleasure of each pupil by parks and spray baths? Is it to open school yards as playgrounds all through the year? In the answers to such questions women have vital interests and School Board women much responsibility.

KATE GANNETT WELLS.

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SERGÉ IULITCH WITTÉ.

BY CHARLES JOHNSTON.

SERGE IULITCH WITTE was fitted for the conduct of great affairs alike by heredity and training. The former point is worth insisting on, in view of the rather amusing misstatements that pass current. A recent would-be biographer, for instance, declares that the Peace Plenipotentiary is the son of a Dutch storekeeper; and another writer in an earlier sketch said that his family was so obscure that they had only influence enough to get him a position as a wayside station-master. In reality, Witté comes of a long line of noble Courlanders, descendants of the old Teutonic order; while on the mother's side he is descended from the Princes Dolgoruki, in whose veins runs blood as noble as any in Russia. The first Dolgoruki was the founder of Moscow, and his father's crown is still used in the coronation of the Tsars. From him came the long line of Moscow Tsars who preceded the Romanoffs, and whose dynasty closed, in the days of Shakespeare, with John the Terrible and his weakling son, Theodore.

Under the Romanoffs, who were elected by the Zemski Sobor of 1613, the Dolgorukis played a great part, always on the side of freedom, always opposing the encroachments of the Tsardom. Many of the Dolgorukis suffered Siberian exile for their valiant stand against autocracy; and one of them, Prince Jacob, escaped the vengeance of Peter the Great only by his magnificent audacity. Urged by Peter to sign an ukase aggrandizing the Emperor, he firmly refused, and finally tore the paper in two, and strewed the pieces on the floor. Peter was so taken aback that he forgave his daring minister. Another Dolgoruki, at the height of a great military career, resigned his command in the army rather than carry out the tyrannical orders of the Emperor Paul, who insisted

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on merciless punishment of the common soldiers. This Prince was Minister Witté's great-grandfather; so that Witté's action in standing out against the war in the East has centuries of heredity behind it. He comes of a great race of sturdy courage, lovers of liberty.

In training, also, Witté had singular advantages. His father was one of the high officials in the Department of Government Estates, which in Russia form a considerable portion of the entire empire. Iuli Witté was stationed in the Caucasus, with special charge of the agricultural side of the government domains. Thus it happened that Sergé Iulitch—that is, Sergius, son of Iuli or Julius—was born in Tiflis, the capital of the Caucasus, on June 29th, 1849, so that he is just over fifty-six years old. His youth was passed in the Caucasus, among wild Orientals, Tcherkess cutthroats, Tartar peddlers, Persian and Armenian merchants, Georgian landowners, a dozen different shades of sallow skins and guttural voices. He studied at the Tiflis College, and showed great mathematical powers. So marked was his ability in this line that, when he entered the Odessa University in 1866, he set his heart on a mathematical professorship, and worked so hard that he gained the large gold medal on graduating, four years later, in his twenty-first year. He tried his hand at journalism about the same time, joining Asmidoff in the "New Russian Telegraph," which was decidedly anti-Semite in tone.

His family finally persuaded Sergé Iulitch to give up the long-cherished design of a professorship, and to enter practical life. This he decided to do, and he accepted the post of Inspector in the Society of Navigation and Commerce, which owned the South-western Railroad of Russia, connecting Warsaw and Kieff with the port of Odessa. The districts tapped by this railroad included some of the richest agricultural land in Russia, great wheat regions, as well as the zone of the sugar-beet in Poland. The said sugar-beet was, curiously enough, the occasion of Witté's introduction to American politics, in a recent international incident which is not yet closed. Witté began on a salary of $50 a month, and set himself thoroughly to master the whole business of railroad traffic, and the commercial questions of production and traffic linked thereto. From this point until his entry into government life in 1888, Witté's history is truly American in the best sense; he tackled exactly the same problems, and showed

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exactly the same powers, which make our great captains of industry over here. His career as a statesman was profoundly affected and colored by his earlier life as a strenuous and successful business man; and it is this early training which gives him that real grip of affairs which stands in such sharp contrast to the ideology of so many Russian statesmen.

Witté rapidly worked himself up to the position of Assistant Superintendent of Traffic of the Southwestern line, and shortly after was promoted, strictly for merit and for work done, to be General Superintendent of the railroad. Here he met the first serious setback of his career. A frightful railroad accident took place at Teligul; and, under the Russian system, Witté was held responsible, and was called to St. Petersburg to answer for it. He thus made the acquaintance of the northern capital under lugubrious auspices, spending long weeks under arrest in the Hauptwacht, while the case dragged its slow length along, half strangled by red tape, and perhaps only slightly facilitated by baksheesh.

At that time the Southwestern Railroad was under the supreme directorship of Vishnegradski, afterwards Minister of Finances. Vishnegradski came into contact with Witté at Kieff, and presently they struck up a friendship, based on a common devotion to pure mathematics. Witté was also drawn by bonds of friendship to Platon, the famous Metropolitan Archbishop of Kieff, a strict Orthodox formalist and persecutor of the Stundist heresy, yet a man of broad mind, and one specially popular with the Jews of the Western Country. At this epoch also Witté joined the great secret society organized to confront the Terrorists, the *Okhrana,* or Guard, which was pledged to protect the life of the Tsar. This society contained many nobles, and for years countermined the mines of the dynamite revolutionaries. Thus Witté formed relations with Church and State, which foreshadowed his future career.

In the spring of 1877, the Bulgarian Atrocity agitation was at its height, and Russia finally declared war against the Sultan. There was not even the semblance of a Black Sea Fleet in those days, only a few steam-launches, in which Makaroff, Skrydloff and Rojestvensky won their spurs. The Tsar's armies were, therefore, compelled to invade Turkey by land, and they passed through southwestern Russia on their way to the Rumanian frontier.

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This crisis gave Witté a great opportunity, which he greatly met. For nearly a year, he toiled early and late, facing the immensely difficult problems of war traffic; providing trains for men and war material, and surmounting the thousand obstacles which imperfect organization and primitive methods, as well as the corruption of the Commissariat Department, threw in his way. He had to face, month after month, very much the same difficulties as Prince Khilkoff so successfully grappled with in the present war, and his triumph over these difficulties was even more complete. Trains full of soldiers followed each other in unbroken series, gathering men from Moscow and Kieff, and forwarding them on the road to Bucharest. Thence, with their gallant Rumanian allies, they marched to the Danube, Plevna, the Balkans, Adrianople. Trains full of wounded had to make their way back to the hospital bases at Warsaw and Moscow; and for these also Witté made provision. Kuropatkin was doing great work, at this very time, as Chief of Staff to Skobeleff, and he was among the wounded who passed through Witté's hands, receiving a severe contusion during the great assault on Plevna, on September 11, 1877, after a splendid exhibition of gallantry, as recorded by General Francis Vinton Greene, the American military attaché, in his fine work on the Plevna struggle.

A few years after the war, in the early eighties, the Russian government called for a scheme of uniform tariffs for the Russian railroads, and invited experts to send in plans. Witté set his mathematical genius to work, and figured for days and nights over the matter, with the same patient industry, the same eye for the smallest detail, which had won his medal at the Odessa University. He really knew the subject through and through, and he supported this knowledge by a great constructive imagination, which we shall see active and effective again and again. From amongst many competitors, Witté's scheme for a uniform tariff was selected as the best, adopted by the Russian Ministry of Railways, and translated into many languages. It is a classic of railroad work, and doubtless Witté's experience as a journalist stood him in good stead when he came to set it down. Yet, as one who has translated many of his state papers, I can hardly say that his style is graceful or flexible; it has the sturdy eloquence of fact and sequence, and that is all.

Vishnegradski had become Minister of Finances. He now did

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his best to persuade Witté to give up railroading and come to St. Petersburg, offering him a position in the Finance Ministry. Witté, born under the burning sun of the Caucasus and brought up among the vineyards of the south, had something of Lermontoff's hatred of the gray northern capital of twilight and ice; and for a long time he held out. At last, Vishnegradski created for him a new department of railroads, in the Finance Ministry, at the beginning of 1888, and in March Witté finally pitched his tent by the Neva, and entered the official hierarchy, Peter the Great's "Nobility of Work." We hardly recognize the Russian bureaucracy by that title, yet this was exactly the idea in the mind of its creator, which shows how a good thing may be spoiled.

A second railroad accident now changed Witté's destiny. The imperial family just escaped a frightful death at Borki, and the Minister of Railways tried to escape odium by resigning. To every one's astonishment, Witté got his place, and a high decoration, the order of St. Stanislav. Then came the painful and lingering illness of Vishnegradski. For a long time, Alexander III was doubtful as to his successor, and he offered the post to many of his leading men. In curious reminiscence of the ancient story, "I and Themistocles," every one of them agreed to take the post "if Sergé Iulitch Witté is sent as my aid." Alexander III at last saw light, and sent Witté, not as assistant to another, but as acting Minister of Finances himself, and, on Vishnegradski's final withdrawal, Witté got the substantive appointment.

Alexander III was a slow, somewhat narrow, man, yet he had certain clearly marked and sound principles. He saw the danger of German domination on the Continent, where Bismarck's policy was still supreme, and he conceived the idea of raising France once more to the position of a first-class Power, as a counterpoise to Prussia. From this followed the Franco-Russian *entente,* and later alliance, which restored the balance of power so rudely upset at Sedan. This rehabilitation was really an enormous boon to France, and was met with sterling gratitude, which opened the way for immense French investments in the land of the North. In the last few months, we have seen the reaction from Alexander III's policy in the growing self-assertion of Prussia, now that Russia's hands are weakened by the war; yet that policy gave Europe a dozen years of peace and security.

A second article in Alexander III's creed was internal de-

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velopment. He embraced the idea of self-development behind a tariff wall, which in this country is bound up with the name of President McKinley, and he presently found in Witté a most able disciple and coadjutor. Witté not only grasped the idea, but carried it to lengths which Alexander III hardly contemplated; and no part of Witté's policy is more hotly debated even to-day. On the one hand, he is praised for having created a commercial Russia; for having shown how the immense latent resources of the Empire might be drawn forth and made effective. The factories which have sprung up all over Russia in the last dozen years are the result of Witté's ideas, and the new industrial class, which has come into prominence during the recent disturbances, is his creation. So true is this that he was stoutly opposed for years by Plehve, who accused him of breaking away from the old life of Russia, and creating a new class, which would most assuredly furnish a hotbed for the growth of revolutionary socialism and the propaganda of the Terrorists.

Plehve was not alone in blaming Witté. There is at this moment a great body of opinion in Russia which declares that Witté has sacrificed the fields to the factories, and has stripped the mujik bare, in order that the factory-hand may have work. Highly colored reports have been published, which show that year by year the stock on the Russian peasants' farms has been steadily diminishing; not only have the peasants been pushed to the verge of starvation, it is alleged, but they have in thousands of cases been compelled to sell their stock and even their farm implements to pay the taxes made necessary by Witté's industrial schemes. Where there were three horses and cows, it is declared, there is only one now; and things are steadily going from bad to worse. To Witté his enemies attribute the general impoverishment of the Russian rural districts, the result of which we have seen in the great peasant uprisings, the plundering of manor-houses, and the assaults on landowners, of recent years. This is too large a question to settle here; in our own country, we have a class of thinkers who say just the same of our tariff policy, attributing to it all kinds of real or imaginary ills.

Witté's reign at the Finance Ministry began on New-Year's day, 1893; and he presently found himself face to face with a grave international problem. We have read a score of times recently that the great Russian Plenipotentiary had no diplo-

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matic training and that this would put him at an immense disadvantage; this is technically true, in so far that Witté has never served a term in one of the embassies, but there are other ways of gaining diplomatic knowledge. Witté gained his training in the year 1893, in circumstances by no means so widely different from the present situation. He held up the Russian end of a fierce tariff war with Germany for many months; and he finally came out victorious and dictated a treaty to the Kaiser's government. He carried out the negotiations in his own person, after waging the war, and he was as successful a negotiator as he had been a general. Looking back over that vivid piece of history, it is to be regretted, from Russia's point of view, that the whole Far-Eastern War was not turned over to Witté at the outset. But in that case the war record would have been like the history of Iceland snakes, for Witté was stoutly in favor of compromise and peace from the very beginning.

The story of Witté's tariff war with Germany is as follows: In the fall of 1891, Vishnegradski overhauled the Russian tariff, to see whether concessions might not be made to foreign Powers who were willing to extend the "favored nation" clause to Russia's great article of export—grain. With a view to reciprocity, he decided to lower the Russian import duties on metals and chemicals, the chief articles exported to Russia by Germany. There was a further thought in this move: to open the way for Russian commercial development, by making easy the admission of machinery and industrial supplies destined for the new Russian factories. Vishnegradski accompanied this concession with a polite request that Germany should consider the possibility of lowering the duty on Russian corn imported into the Fatherland. The Agrarians got wind of the matter and instantly raised a storm of objection, bringing strong pressure to bear on the Berlin government. Germany temporized, evaded, and finally introduced a new Differential Tariff, in which the duty on corn was lowered in favor of every country except Russia and Rumania. Shortly after, the lower duties were conceded to Rumania also, so that Russia was left out in the cold.

Vishnegradski's health was already failing at this time; he did nothing effective in the matter, and so things dragged on until Witté came into power. He at once began to make things move. He invented a Differential Tariff of his own, and gave

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notice to Germany that, unless concessions were promptly made in favor of Russian corn, he would put his new tariff in force. This he finally did, in the summer of 1893, six months after his confirmation as Minister of Finances. Each side promptly "raised" the other, and so things went on, until Russia's corn exports to Germany had practically ceased, while chemicals and machines from the Fatherland no longer found their way into the realm of the Tsar. Many Moscow manufacturers, who depended on Prussia for their raw materials, had to diminish their output, and finally close down altogether, and a few firms faced ruin and bankruptcy. What Witté did, to help the Russian farmer at this juncture, we shall presently see; but his policy was so effective that Germany finally backed down, and a tariff conference was summoned, to meet in Berlin on October 1, 1893. Sergé Iulitch Witté went there in person, and set about negotiating with the Chancellor and the Finance Minister of Germany. During the summer, the Kaiser had succeeded in having the Army Bill passed through the Reichstag, and this victory once achieved, he no longer urgently needed the support of the Agrarians, so the Junkers were thrown overboard. Witté got his "favored nation" clause and all the German chemicals and machinery needed for his new industrial Russia.

It will be seen, therefore, that he is a past master of the arts of diplomacy and negotiation, though not a diplomat in the narrow sense; and, having once beaten the mighty Kaiser at the game, he came to meet the Mikado's envoys with the confidence of an old hand.

We get a flash of insight into Witté's mind, by noting the means he took to help the Russian peasant, when the tariff war caused a sudden falling off in Russia's corn exports. It was evident that certain things would at once occur: the peasants are always heavily indebted, and very often the standing grain in their fields is pledged to the money-lender, who has supplied the cash for taxes or liquid solace. In fact, the capacity for drifting into debt is one of the grave weaknesses of the emancipated serf, accustomed for centuries to be taken care of and kept under orders. The peasants, therefore, had no cash in hand, and the sudden fall in the price of corn was nothing short of a calamity for them. They could not hold on, and they could not sell for more than a song. The corn-dealers were preparing to

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swoop down on them, when, quite unexpectedly, Witté came to the rescue. He instituted a new policy, a vast extension of a system practised to some extent in British India. First, he bought up, at the former market rate, vast quantities of corn for the Russian Government; as the latter has normally to provide for a standing army of a million men on a peace footing, and as the soldiers do not get much meat, the Government is always an immense buyer of corn. Witté decided to buy for two years at once, and thus saved the peasants from the hands of the spoilers. He did more, however; he devised a system of State advances on corn, under which the peasants could either deposit their corn in the Government granaries, and borrow on it as collateral; or, where their own barns were in good order, simply hand over the keys to the officials, and get their loans forthwith. In this way, those who wished to sell were given an opportunity to sell, and those who wished to hold on could do so; the treaty with Germany, which came into force soon after the October conference, presently opened the doors of the market, prices went up, and those who had held on were able to sell at a profit, repay their loans and put a surplus in their pockets.

This was going to lengths in paternalism which would seem to us little short of State Socialism; and it cannot be denied that Witté is an ardent disciple of paternal principles. As the Tsar is the father of his country, so his Finance Minister is to be the country's business manager, putting a finger in every pie and guiding all kinds of commercial and industrial enterprises. This paternalism is shown in Witté's Far-Eastern policy, which occupied the next great period of his career.

We have been told, and truly, that Witté was from the outset a strong opponent of war with Japan. We must perceive, however, that he was just as ardent an advocate of the policy which made war with Japan almost inevitable. Not even Alexeieff himself was a firmer believer in Russian expansion toward the Pacific. Nor is this to be wondered at, when we consider Russian history and see that Russian extension eastward was an inevitable and almost unconscious process for centuries, ever since the Cossacks overtopped the Ural Mountains about the time of Shakespeare's birth. From that day onward, the advance eastward was unbroken, until it embraced Alaska and many of the islands on the Canadian coast.

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On this point of Russian expansion, it is worth while to quote Witté's own words:

"China, Japan and Korea, he says, whose population numbers half a billion, and whose share in the world's commerce already exceeds six hundred million rubles, with the help of a great railroad affording all the means for quicker and cheaper communication and exchange of merchandise, will come into much closer relations with Europe, the market of high industrial culture, which makes demands for the raw material of the East. Thanks to the Siberian Railroad, these countries will also increase their demands on European manufacturers; while European knowledge and capital will find a new and extensive field of activity in the discovery and exploitation of the natural resources of Oriental lands. The Asian Orient was, until recent times, almost an unknown world to the peoples of Europe, living its own isolated life for millenniums, aloof from the civilization of the West, and working out its own national culture. The completion of the Siberian Railroad opens to Europe the door to this closely barred land, bringing us face to face with the numerous branches of the Mongolian race. The continued seclusion of the Oriental peoples becomes quite impossible. It is, of course, difficult to foresee all the changes which will be brought about by the coming contact of the yellow and white races, but it is certain that for Russia this contact will bring grave problems."

It is worth while to remind ourselves that the greater part of the Siberian railroad was built during the years when Witté ruled at the Ministry of Finances; consequently, he was called on to pay the bill, and the way in which he did it is one of the greatest financial achievements of recent years. Until he came into power, Russia had suffered from a chronic malady of deficit budgets; every one had grown so used to this that it wore the aspect of natural law. But Witté changed it all, and not only made both ends meet, but cleared a surplus year by year; a surplus which he devoted to paying for the Siberian railroad, which thus became a State property of the highest value. During the same period, Witté was steadily introducing the gold standard into Russia, putting gold in circulation instead of paper, and piling up a gold reserve in the Treasury vaults at St. Petersburg. This is another point of likeness with President McKinley, and it once more illustrates the Americanism of Witté's mind. The prophecy that the contact of the yellow and white races would bring grave problems for Russia, has been fulfilled with a fulness and tragic force that must have disconcerted the prophet.

Indeed there is a note of pathos in Witté's connection with

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the whole Eastern imbroglio. His was the intellect which wisely conceived great plans, his the will and knowledge which carried large creative schemes into effect, not only supervising the thousand details, but, by skill and mastery in other regions, supplying the funds for the vast outlay these schemes made necessary. And now that other and lesser men have brought his vast edifice to ruin, in spite of his warnings and protestations, he is once more thrust into the breach, to try to patch up as well as may be the destruction so wantonly and criminally brought about. Who can fail to detect the note of pathos in the following passage, written by Witté about two years ago, on his return from a prolonged visit to Manchuria?

"On the Manchurian Railroad no less than fourteen bridges have been constructed with a span of more than seven hundred feet. Of these bridges, those at the two crossings of the Sungari River have a span of from two to three thousand feet, so that the bridge over the Sungari River near Harbin is one of the longest bridges of Russian construction; it is surpassed only by the bridges over the Volga and the Amur. The average height of the bridges on the Manchurian Railroad is thirty-three feet, while on the adjacent sections of the Siberian Railroad the average height is only twenty-one feet. All the larger bridges have metal frames resting on stone piers, founded on caissons. Amongst the bridges, attention is attracted by the stone arch bridges, which have found considerable application, and which are everlasting, needing no repairs. All the bridges and similar works are well done, and special attention has been paid to giving the bridges a sufficiently wide span, and to carry their foundations to such a depth as to insure them against being carried away by floods. The works I examined were all most intelligently carried out, with all modern technical improvements. In connection with the construction of the railroad, it is necessary to provide for the spiritual and moral needs of the railroad employees; to build churches, schools, libraries and the like."

It is not now a question of buildings that are everlasting, or of the spiritual needs of Russian employees in Manchuria; and it is pathetic to think that Minister Witté's technical knowledge will be most useful in crying up his country's wares, and persuading the victorious Japanese to allow a good price for the improved property which he is called on to turn over to them.

Even more pathetic is the impression produced by Witté's descriptions of Dalny and Port Arthur, the former being in a special sense his own creation. He speaks of the fine wharves, the stately public buildings, the offices, libraries, churches and

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streets of warehouses, and it is evident that, while he was writing thus in the spring of 1903, he was looking forward to generations and centuries of Russian growth and development along the China Sea and out into the Pacific. The sentences quoted show how abstract and matter-of-fact Witté's style is; in the few lines that follow, he comes somewhat nearer a personal note:

"When I went over the line, the special train which carried me went from Manchuria station to Harbin station in fifty hours, and from Harbin station to Dalny station in fifty hours, although at every station, and likewise at several of the more important works, stoppages were made for inspection, while the speed of the train on the circuitous temporary sections was very moderate; and, generally speaking, the train went slower than the condition of the line demanded. Therefore, we are justified in expecting that when the line is open for regular traffic, it will be possible to make the journey from Manchuria station to Dalny station in four days, and consequently the trip from St. Petersburg to Dalny will take about sixteen days, and to Vladivostok about fifteen and a half days."

The trip to Manchuria was undertaken at the close of ten years' hard work as Minister of Finances, and, shortly after his return, Witté pressed his resignation on the Tsar. For some time, the current had been drifting against him and his policy and ideas, and other counsels were prevailing at Tsarskoe Selo and the Winter Palace. It became irksome for Witté to find himself forever thwarted and misrepresented by cabals, and his whole nature rebelled against the policy which Admiral Alexeieff was advocating, in spite of the protests of Japan. The Emperor listened to Alexeieff and turned a deaf ear to Witté, so the great Minister of Finances was fain to turn his office over to one of his pupils, while he himself received the somewhat empty dignity of President of the Committee of Ministers. He knew how to accomplish much in that almost ornamental post, however; and his next great work should in itself secure him lasting fame.

This work is so recent as to be in all our memories. It is the great Act of Religious Liberty which was promulgated by the Tsar on Easter Sunday of the present year. Witté's great religious reform removed abuses which had been galling some of the noblest minds and greatest hearts in Russia for centuries, and attained a result which will do more than anything short of sound representative institutions to restore the body politic of his nation to health. From the beginning, Russia had recog-

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nized only the State Orthodox Church, and merely tolerated other Christian or Moslem forms of worship. To seceders from the State Church small mercy was shown, and special pains and penalties were inflicted on those guilty of seducing children of the Church from their allegiance. These were not merely ghostly terrors, but fines, imprisonment, loss of property and endless affliction and vexation; so that few fates were harder than that of a Russian who, born within the National Church, wished to worship God in some other way. All the animus of the Inquisition was there, especially since Pobiedonostseff has dominated the Synod; and he would have found it in his heart to revive not only the spirit but the methods of the Holy Office. These persecutions fell with especial keenness on the Old Believers, who simply perpetuate an older form of the State Religion, reformed just before the days of Peter the Great. The sufferings of these religious conservatives were especially bitter and undeserved.

All this cruelty and bigotry Witté's great and liberal measure has brought to an end, and, though certain disabilities are still laid on the Jews, yet it may be said that Russia now enjoys a large and long-desired measure of religious freedom. Curiously enough, no particular protest from the clergy impeded this reform; in the Church, it is as in the secular government; all power is in the hands of a reactionary and unscrupulous clique, headed by Pobiedonostseff, while the vast body of the Orthodox, including the rural priests, are liberal in their beliefs and views.

This reform suggests the great possibility which now lies before Minister Witté, and which, in its importance, may overshadow all that has gone before. Is his appointment as Peace Plenipotentiary a sign of a genuine repentance? Will his return from the Peace Conference be marked by a new lease of power, or, on the contrary, will jealousies and court intrigues, the malice of the lurking whisperer and the envy of the incompetent prevail against him and doom him once more to impotence and seclusion?

All lovers of Russia ardently hope the former alternative will be realized. Witté has inspired confidence throughout the whole civilized world, as a man of good-will, of honest heart, of immense fidelity and constructive power. He and he alone, if an international vote were taken, would be deemed fit to grapple with the immense problems which lie in the path of his country.

CHARLES JOHNSTON.

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PRESIDENT CASTRO'S MESSAGE.

BY A VENEZUELAN CITIZEN.

THE following article was written, at my special request, by a Venezuelan gentleman who is peculiarly fitted to deal with General Castro and his remarkable system of "graft" and spoliation. The American public already know what the Castro system means; herein is presented Castro himself, shameless, vainglorious, irrepressible. I have taken the liberty to revise the text somewhat for the sake of clearness; but I have preserved the author's meaning as scrupulously as he has that of President Castro where he quotes from his unique message.

G. M. L. BROWN.

THE Venezuelan Congress assembled at Caracas on the 23rd of May. For many decades it had been customary for the legislative body of the nation to meet on the 20th of February; but this year a new date was chosen in commemoration of the day, six years ago, on which Cipriano Castro set out, at the head of a band of mountaineers, to overthrow the government of his predecessor, Andrade; as well as to celebrate his election for a further period of six years as "constitutional" President of the Republic. The records, of course, had to be sent in from the different States and the balloting was to be carried on in Congress; but, it being a well-known fact that nobody dared cast his vote against the country's master, the officials were so well aware of the result of the pseudo-elections that everything was prepared beforehand, as in a theatre, for the different scenes of the play.

One of the most curious features of this farce, one that will amuse the foreigner as it has astonished the good Venezuelan, accustomed as he is to these "*coups d'effet,*" is the now famous message of Castro, read at the opening of his appointed Parliament. One would look far among the annals of self-governing nations to find such an accumulation of bad grammar, falsehoods and egotistical boastings, so crudely prepared withal, and so

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brazenly presented to an outraged public. A short review of some of the principal points of this message is herewith presented to the American people, and the writer only regrets that space forbids reproducing the message in its entirety.

The key-note of the message, as will readily be seen from the extracts presented, is self-praise; but the comedy is so overacted, that it provokes disgust rather than merriment. If you listen to him, there is no other country in the world so happy as Venezuela,—not having been so fortunate, forsooth, as to have a Cipriano Castro as ruler. The country is in an exceptional state of prosperity: all the industries are so flourishing, and the natural resources being so quickly developed, that the people cannot sufficiently bless this golden age of the "Restoration." Justice and equity have been maintained "at a high standard, rarely to be witnessed under the unsettled conditions of a country like Venezuela."

Castro begins his message by suggesting that "perhaps it has been through a very happy coincidence that Congress had the opportunity of opening its session on the very day, the very date and the very instant when the Restoration of the Fatherland began, on the borders of Tachira, with a handful of faithful partisans, who brought their flag, majestically flying, to Caracas, the birthplace of Bolivar, the Liberator." With this he modestly points out that the two great revolutions of the country (the first of her independence, and the second of the Restoration, headed by himself) are "interwoven in such a flattering form as to offer the best omen for the effectiveness of all the great, noble and patriotic achievements of Congress and himself, under the guidance of the God of nations, in the true confraternity of the people." After this eloquent preamble, he assures the Senators and Deputies that "it is not alone the hopes of our nation, but of *the whole world,* which are dependent upon your wise and well-designed deliberations."

After having ruled for nearly six years in violation of all statutory enactments, after having twice revised the Constitution to make it suit his own desire to remain in power for at least twelve years (as he predicted at the beginning of his usurpation), after having exposed Venezuela to a constant succession of humiliations and calamities, not the least of which was the shameful adjustment of the foreign claims by his ignominious surrender

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to the terms of the protocols, this self-styled hero has the audacity to declare that his régime "marks positively the first step of the Great Venezuela upon the path of prosperity, of true civilization, peace, dignity, justice," etc., etc., *ad nauseam*. These and many other pompous phrases, of course, were employed for the purpose of mesmerizing the ignorant classes, especially those of the interior, where they see or hear read to them only the official publications, and such newspapers as have managed to survive by a base sacrifice of independent criticism to a servile flattery, often indeed couched in language as high-sounding and ridiculous as the utterances of the Dictator himself.

Further on he says:

"It is only to-day that our great and monumental work begins, since the majority of the people are at last thoroughly convinced of the *sincerity and good faith* with which we act. Should any one remain abroad, the work of time will disabuse his mind of the error into which he has fallen, showing him that the programme of the Restoration will not stop, founded as it is not only on the basis of law, reason and right, but also upon the conscience of all well-intentioned Venezuelans. What greatness, what power and what glory do I perceive for our beloved Fatherland at this moment of supreme happiness!"

Everybody knows that the so-called process of revising the Constitution was in reality an arbitrary act of Castro himself, so that the following passage will be duly appreciated in all its absurdity:

"I can assure you that this régime, which is marked by the greatest splendor, the most absolute orderliness and the highest glory is the legitimate child of the Liberal Cause of the Restoration, and equally of the universal demand which led to the amendment and reform of the fundamental charter [*i. e.*, the creator of this millennium was thereby enabled to continue in office]. This revision of the Constitution is the only case in the pages of our civil history where the process has been carried out in a perfectly orderly manner, backed by the force of public opinion, so that the Provisional Power [that means Castro himself] has had no other alternative than to submit reverently to the demand of the nation, as unanimous as it is decided and spontaneous!"

As a matter of fact, which no one in his senses will dream of denying, the people of Venezuela had as much voice in this matter as had the inhabitants of central China, no more, no less.

The President next relates that, having been convinced that it was the wish of the people, and in order to strengthen the bonds

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of sympathy between the Government and the Nation, he recently undertook a tour of the country, which he does not hesitate to describe by the term "*patriotic journeys,*" on account of the important results that have ensued. He dwells on the minutest details of the itinerary, but omits mentioning the most important part of the story—the sad fact that the cities and localities that he visited were put to an enormous expense in receiving and entertaining this New World Tsar and his extravagant suite, and that many poor citizens who have not yet recovered from the evils of the last revolution, besides having been reduced to the verge of bankruptcy and ruin by the extra taxation that Castro himself created, were forced to make pitiable sacrifices in order to subscribe to the entertainment fund, as nobody would dare risk, by a simple refusal, the dangers of blackmail or imprisonment, or both. This is not exaggerated—it could not be.

Another "important result" that he omitted from his message is a Homeric episode which has now become a national scandal. In this case there was no Menelaus, and the Zeus was the chief steward of the Steamer "Delta," of the Orinoco Line of Steamers, of which the modern Paris is the principal stockholder. He met the pretty Helen at Ciudad-Bolivar, and straightway issued a verbal edict which insured her presence at every dance and private function while he was there. Society, indeed, so pitifully was it beholden to his wishes, received this girl with every mark of honor, a humiliation that any one who does not know the traditions of the "best families" of a Spanish-American city cannot possibly realize. On his return to the capital, moreover, the President despatched the "Bolivar," the first gunboat of the Venezuelan Navy and the only vessel at that time in commission on the Caribbean coast, to the Orinoco to convey his paramour to La Guayra. The "Bolivar" performed its high mission, and the willing Helen was duly added to the already extensive, though scattered, harem which disgraces the fair capital. Fortunately, however, Caracas need fear no avenging army.

An eloquent proof of the maladministration that exists under the Castro system is afforded officially by himself in the same document. He says in part:

"I here recommend to you the law placing upon every official full responsibility to the Nation, a law that must include everybody from the President of the Republic down to the last policeman, as it is a

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proven fact that, through the deficiency or absolute want of a law specifying the nature of this responsibility, an integral part of our Constitution has become a dead letter."

This is as absurd as it is misleading. Our statute-books and penal codes deal fully with this matter; and, if the President wishes a new law, it is unquestionably for the purpose of evasion or with some other ulterior motive. At all events, if our laws have been shamelessly disregarded in the past, what guarantee can *he* offer for the future—he, the very chief of sinners? Had Cipriano Castro been at the head of a really civilized country where the law is impartially executed, he would have found legislation enough in existence, relative to the responsibility of public officials, to have relegated him long since to a close cell and simple diet.

Referring to international relations, he becomes more specific. "Our friendly relations," he says, "have been cordial, comparatively speaking, with Great Britain, Germany, Italy, France, Chili, Holland, Belgium, Spain, Argentina, Brazil, Sweden, Norway, Nicaragua, Guatemala, Panama, San Salvador, Mexico and the United States, etc." All amounts, he informs us, due by Venezuela in compliance with the decision of the Hague Tribunal, have been faithfully paid to the allied blockading nations; and, with the coolest assurance, he asserts that there will be no reason at all for any further claims whatever. In this section, there is a special paragraph concerning America. Here are his exact words:

"It is only the United States Government with whom, for reasons beyond our control and for which we admit no responsibility, we have had a slight misunderstanding. Our Court of Chancery, however, has maintained the legal points of our contention, and this seems to have put the facts in the true light, if we can judge by the measures lately adopted by the said Government in favor of a strong, cordial friendship. The matters referred to are those of the Bermudez Asphalt Company and the Orinoco Steamship Company, the latter having been decided by the umpire of the American Mixed Commission; according to the protocols arranged by Mr. Bowen, who endeavored to submit it to new arbitration. The Venezuelan Government could not yield in these matters, as the sovereignty and independence of the Republic were therein compromised, great as may have been the aim of the Government in its international policy to maintain the greatest cordiality and an uninterrupted friendship."

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In regard to Venezuela's relations with Colombia, which Castro has done his utmost to disrupt, as Venezuelans equally with Colombians admit, he calmly asserts:

"It has not been possible to re-establish our official relations with the Government of our sister Colombia, as was our desire, in spite of the fact that our friendly relations with the chief of that nation have remained unchanged. The fault of this does not lie with the Venezuelan Government, as is well known by the persons who must know it and have interfered in this important matter."

Although in places our translation is slightly free, so that the text may be intelligible to the American reader, who is a novice, perhaps, in the art of unravelling the abstruse absurdities of a Spanish-American orator of this type, in this case our rendering is faithfully literal. Whom he refers to, we confess we know not, as he is hardly frank enough to condemn himself, and Colombia has everything to lose by the existing unfriendliness, as many of her eastern towns are cut off from the sea and are becoming practically bankrupt, hence would do everything except sacrifice the national honor to restore mutual trade relations.

Dealing with the Army and Navy department, Castro has difficulty in restraining his elation. Here are two paragraphs:

"The progress that we have made up to the present, in the midst of continuous and exhaustive campaigns, is of a surprising nature. . . . The ammunition, in spite of the large amount used in our internal disturbances, is abundant. Barracks, magazines and forts, etc., have been repaired and new ones constructed. The state of our army is well known to-day throughout the whole Republic, and it gives real satisfaction to see its efficiency and morality, its victuals and its elegance. (!) I feel proud of it, not only because it is exclusively the work of the Restoration, but because of the glory we Venezuelans derive from having an army that does us honor."

What follows will be appreciated by those who have read the numerous exposures of the remarkable system of "graft" inaugurated by Castro—a system that literally "grabs" the entire resources of the country, federal, provincial and municipal, returning a few grants, often for the most useless purposes (for instance, a statue, perhaps, where the town requires a dozen improvements, or a new barracks where the sewers are broken and public health in jeopardy), with such a blare of trumpets withal that one would suppose a Rockefeller had parted with all his millions, instead of

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the servants of the people having merely returned to the people a slight fraction of the enormous revenues that have been exacted. Let us now have Castro's side of the question:

"In the Internal-Fiscal departments, as well as in those of Progress and Public Works, what has been done is really so astounding that, even if I did not wish to mention them, the public works already carried out and those in the course of construction would speak for themselves. To have an exact idea of everything it is necessary to study their analysis in the respective reports sent in by the Ministers. For a comparatively synthetical message like this, it will be enough to consider that there is not a single State in the Republic that the munificent hand of the Restoration has not reached: buildings of all kinds, lazaretti, hospitals, temples, art and professional schools, colleges, primary schools, barracks, military headquarters, fortresses, government houses, town halls, universities, theatres, etc.; cart-roads, mule-tracks, water-works, drainages, public plazas, bridges, jetties, customs and warehouses, etc.; and a telegraphic net covering the whole Republic, such as very few countries are able to boast of, attended by a numerous body of employees, who meet perfectly well all the needs and requirements of the Nation—all these are truthful witnesses that nowadays the Supreme Rulers do not come to render account before the Sovereign Body of the Nation with mirages and excuses. It is indeed inconceivable how this régime, in such a short time, has been able to achieve all that I have enumerated."

The last remark, at least, is true: so inconceivable is this miraculous achievement, that no one that the writer knows of, barring Castro, has conceived it, though Congress sat in respectful silence gazing upon the imaginary structures he pictured, a more stupendous "mirage," to quote his own words against him, than was ever seen in the heart of the Sahara. Perhaps, indeed, he confused accomplishment with intention and thought of the bridge across the Orinoco, which he generously promised the citizens of Ciudad-Bolivar, a bridge, be it known, that will exceed the famous Brooklyn bridge about four times in length and at least ten times in cost. This remarkable structure, we should add as a warning to tourists, will not be opened to traffic for some time to come!

"Do you wish more?" he asks. And he answers:

"Well, here you have it: the twenty-two and odd million bolivars owed by former Governments to the Bank of Venezuela have not only been paid, but we have to our credit 1,594,000 bolivars *plus* two and a half millions in bonds and cash in the Treasury. The Government, furthermore, has secured and set aside five million in gold and silver,

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which will be the basis for the establishment of the National Hypothecary Bank. Not only were the five and odd million of the peremptory claims paid to the allies, but also 10,075,000 bolivars corresponding to the 30 per cent. of the pledged revenues."

Congress, of course, takes Castro's word for it. He does not demean himself by presenting a detailed statement; no books are necessary, no vouchers offered. There may be the sum stated in the Treasury, or there may be nothing; or, for appearance' sake, he may even have magnanimously loaned the Government from his private exchequer. In any case, the Nation is in much the same position as the creditors of the Humbert securities in Paris: when the safe is opened they will know.

After this hurried excursion into the realm of finance, he undertakes a general review of the past year, which he chooses to term his "provisional period." His cloak of modesty, it will be noted, which he has been gradually divesting himself of, is now suddenly flung from him, and the incredible effrontery of the man becomes apparent. Is it not enough that Venezuela is pillaged, robbed of her free institutions and debased before the eyes of the whole world? Is it not enough that the innocent suffer and perish under his relentless hand? Has the Nation to sit before her ruthless enemy and bear every insult? Hear him:

"I have worked incessantly to do good, all the good possible. I have remedied as many hardships as I could. I have dried up tears that I know well have not been shed for my cause; so much so that, during the journeys I have referred to, among other things, I have granted freedom to more than two hundred political prisoners, following, in so doing, besides my natural inclination, that wise principle stated by Cervantes in his immortal 'Don Quixote'; that, although God's attributes are grand, mercy shines more than justice and overpowers it. In one word, I have ruled: I have fulfilled my duty, and, confronted with the facts achieved, I speak unreservedly with the confidence of success. Here is my political, administrative and even social work, with their results, at the presentation of all which I submit, according to law, to your judgment and your verdict; a magnificently patriotic work, and admirably grand and portentous if you study it in the light of historic comparisons. All this I say without vanity as well as without scruples of modesty, as I believe that no honest man can be said to boast of facts resulting from the fulfilment of duty."

The message closes with these words:

"Citizen Legislators: I hope you will not misjudge that I dedicate this message—the effort of my patriotism—led by a feeling of gratitude

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that I will never forget, to my dear parents and to all my comrades at arms, who were willing to fight with me and sacrifice themselves for the welfare of our beloved Fatherland."

The balloting, as already mentioned, resulted in the "unanimous" election of Cipriano Castro, an expected event that was communicated by telegraph in the most grandiloquent language to the remotest corners of the republic. And Venezuela, irresponsible in her misery, feebly cheered the exulting autocrat. "Six years more of poverty and degradation!" said the citizens to themselves, but the bolder ones among them added, "*Quien sabe?*"

This message of Castro's gives a fair insight into the methods of the man and the shamelessness of his régime. It is all a lie, a contemptible farce. One of Castro's first acts on his return to the capital from his "patriotic journeys" was to decree new stamps with his own bust, replacing the sacred effigy of Simon Bolivar; and one of the dates of the Venezuelan Independence was changed on the escutcheon of the Nation to the date of Castro's birth! Another decree issued recently prohibits the foreign trade to all vessels under forty tons burden, the result being that thousands of families all over the extensive coast of Venezuela, mainly on the island of Margarita, are now starving through a capricious stroke of the pen.

If he acts in this way with his own countrymen, what can foreigners expect from this incorrigible dictator? Simply extortion and injustice. Justice, indeed, is an unknown word to the Venezuelan official, and the fate of the unhappy Republic would appear to rest with the very nation which Castro is endeavoring to antagonize.

A VENEZUELAN CITIZEN.

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WORLD-POLITICS.

LONDON: ST. PETERSBURG: ROME: WASHINGTON.

LONDON, *August, 1905.*

BY the time this letter appears in print, the Anglo-Japanese Agreement will have been not merely renewed, but altered and strengthened. Negotiations to that end have for some weeks past been progressing, with a smoothness that fairly indicates the high value which both London and Tokio place upon their compact. I am informed, indeed, that only one point remains to be settled—the number of troops, namely, that under the new arrangement Great Britain is to maintain in India. When this is disposed of, the seals and signatures of the respective parties will be all that is necessary to convert the restrictive powers of the Alliance into preventive powers. Speaking some two months ago, Lord Lansdowne plainly hinted that the future efforts of England and Japan would be directed, not merely towards confining the spread of a conflagration, but towards making it impossible for a conflagration to occur at all. English opinion has more and more been taking the view that this could be achieved only by a considerable expansion of the Anglo-Japanese Agreement—by its development, in fact, into a hard and fast alliance that would guarantee, by the whole force of both Powers, the Asiatic possessions of each. The terms of the new Agreement will probably not be made public until a formal peace is concluded in the Far East; but there is reason to think that they are of a nature to attain the supreme object I have mentioned, and that for some years to come any Power that attacks Great Britain in Asia will be attacking Japan also: and where is the Power, where is the combination of Powers, that would venture to confront at one and the same time the naval might of Great Britain and the military prowess of Japan? The essence of the revised

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Agreement is pacific and defensive. It is a pact—the strongest, perhaps, that in the present state of international politics can be framed—for the maintenance of the *status quo* throughout Asia and the protection of the freedom of commercial intercourse in China. As such, it need arouse no apprehensions. On the contrary, all Powers who are interested in the "open door," and who are prepared to eschew a policy of Asiatic aggression, may, as time goes on, find it to their advantage to join with Great Britain and Japan in still further strengthening and consolidating what is, so far as Asia is concerned, nothing less than a league of international peace and security.

Domestic politics, here, since my last letter, have been marked and enlivened by two Ministerial catastrophes. The first concerned the Redistribution proposals of the Government. Those proposals were published on July 11th in the form of a Resolution of several clauses. Their practical effect, had they been carried, would have been to produce a net gain of seventeen seats to England, of one to Wales, and of four to Scotland, while Ireland would have suffered a net loss of twenty-two. It is not necessary for me to examine the criticisms that assailed these proposals —how some maintained that the scheme would create almost as many electoral irregularities as it removed; how others denounced its inadequacy inasmuch as it still left Ireland with eight more representatives in the Imperial Parliament than her population entitles her to; and how others, again, finding that their own constituencies would be wiped out, were easily convinced that it went altogether too far. The Redistribution Resolution never really came to a head. It was quashed on a point of procedure, discovered and pressed home by that past master of Parliamentary forms and strategy, Mr. John Redmond. The point he raised, and on which he asked for the Speaker's ruling, was this: Could the Resolution be put to the House *en bloc,* or should it be referred to a Committee of the Whole House and debated clause by clause? The Speaker, after a day or two's examination of precedents, ruled on July 17th that the Resolution would have to be split up into eight or nine separate resolutions and referred to a Committee of the Whole. That meant, of course, that amendments could be submitted clause by clause, that members would not be confined (as they are confined when a matter is put to the House and not to the Committee) to a

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single speech, and that the debate would thus be continued for days and possibly for weeks. This decision, the only decision that could insure adequate discussion for the Resolution, appears to have been unexpected by Mr. Balfour. Had the question of procedure troubled him, he would have taken the usual course of approaching the Speaker privately beforehand and asking his opinion and guidance. The Speaker's decision not only shattered Mr. Balfour's anticipations, but settled the fate of the Redistribution Resolution. There was simply no time left in which to debate it with the freedom and at the length made obligatory by the Speaker's ruling. All the remaining days of the session were already mortgaged, either by the necessary business of Supply, or by the exigencies of the Aliens Bill, the Scottish Churches Bill and the Unemployed Bill. Mr. Balfour had, therefore, no option but to rise and announce the withdrawal of the Resolution. He added, indeed, that he would next session introduce a Bill to deal with the subject; and that, in the mean time, a committee or a commission would be appointed to examine the question of boundaries; but, as there is no intention of summoning a special autumn session, as Parliament will not in the ordinary course of things reassemble till next year, as by that time the Government is certain to have lost a few more by-elections, as the shadow of Dissolution will be creeping over the House and all the thoughts and interests of Members will be centred on their constituents, and as a Redistribution Bill will be fought by the utmost ingenuity of the Nationalists and but half-heartedly supported by the rank and file of Ministerialists, Mr. Balfour's chances of making good his declaration appear to be of the most remote and exiguous character. This, then, is the way in which the Government handles a matter of first-rate electoral consequence! The country diagnoses the entire incident as an instance of muddling incapacity that, under any other Administration, would have been incredible.. There are, however, those who maintain that Mr. Balfour was aware all along of what the Speaker's decision would be, that he deliberately played up to it, and that he really welcomed it as an escape from a highly contentious measure in which neither he nor his followers felt a genuine interest.

However that may be, Mr. Balfour recognized that he owed his party, if not the country, some explanation of his conduct. On

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the day following the withdrawal of the Resolution, two hundred and sixty members of the Unionist party met at the Foreign Office. The proceedings were private; but it is known that the meeting was in unaccountably good humor with itself, that Mr. Balfour urged his supporters to a more constant attendance in the House, and that he warned them that the Opposition, repulsed in its frontal attacks, "would have still more frequent recourse to skirmishes in the hope of doing mischief by a snap division at some inconvenient hour." That was on Tuesday, July 18th. On Thursday, July 20th, the Government was defeated in the Commons by three votes on a not unimportant motion brought forward by Mr. John Redmond to reduce the vote for the Irish Land Commission. Nothing under the circumstances could have been more humiliating. For the time of the year, and considering the heat of that particular evening, the House was fairly full—nearly 400 members took part in the division. The Prime Minister only two days before had made an especial appeal to his party to prevent precisely the thing that had taken place. The Whips had reinforced that appeal by notices of unusual urgency. Yet, in spite of all, the Government, whose normal majority on non-fiscal questions ranges between seventy and eighty, was placed in a minority of three. It is true that this result was secured by a manœuvre of the Opposition, which concealed its real strength until the division-bell rang, when unsuspected Liberals and Nationalists trooped in from the terrace, from the library, and from the smoking-room. But nothing could quite explain away the significance of the defeat. It was recognized as one of those incidents which must from time to time occur when a Government that has lost the confidence of the country and feels itself fighting a losing battle, persists in clinging to office. At the same time, nobody was disposed to treat it as being in itself a reason either for the resignation of the Ministry or for dissolution. Mr. Balfour, I am confident, never had the smallest intention of so treating it. The mere fact that the negotiations for the renewal and extension of the Anglo-Japanese Agreement were still unfinished made it, apart altogether from the question of party expediency, almost obligatory for him to swallow the humiliation and remain in office. But he saw his chance of reading the party a lesson by magnifying the incident and by withholding his final decision

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for three portentous days. When it came, it was in the form of a fifty minutes' speech, besprinkled with precedents and culminating, as everybody expected, in an announcement that the Government intended to go on as though nothing had happened. Had the defeat stood alone, the country would not have quarrelled with this decision. But it does not stand alone. Mr. Balfour inherited the Premiership from Lord Salisbury. Lord Salisbury obtained a renewal of power in 1900 by a snap election taken in the midst of the South-African War. Since then, an altogether different issue has absorbed public attention, has rent the Cabinet in two, and has driven from it every statesman of first-rate ability. On that issue the Prime Minister has spoken with calculated equivocation. Both Protectionists and Free-Traders support him in the belief that he is really with them, each section being confident that eventually he will throw the other over. The demoralization produced by so much double-dealing has lowered both the Premier and Parliament in the eyes of the country. At by-election after by-election, unmistakable expression has been given to the national disgust. Everybody knows, and Ministers themselves confess, that, when the General Election comes, the Government will be hopelessly beaten. And now, in a single session, the Cabinet has not only brought its principal measure to an ignominious fiasco, but has been defeated on a question that brought up its whole Irish policy. Yet Mr. Balfour refuses to resign. The feeling grows that Mr. Balfour's clinging to office is nothing less than a violation of those silent understandings, those unwritten but none the less recognized compromises, that embody the spirit, and were supposed to embody the strength, of the British Constitution. The immoderate abuse of power in which he has permitted himself to indulge represents, for thinking Englishmen, a Constitutional break-down. Nor is there any remedy in sight, unless Mr. Chamberlain, for his own purposes, comes to the rescue of the Constitution and forces a dissolution in October. That that is his present intention is a fact for which I can vouch. The Chamberlainite organs in the press have received his personal instructions to direct all their energies and persuasiveness to that end. By October, the Anglo-Japanese negotiations will have reached their conclusion, the harvest will be in, and the holidays over. Every month that the Government remains in office adds

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to the severity of the defeat that is awaiting it at the polls. The Chamberlainites, therefore, from their own point of view, are well advised in pressing for an October dissolution.

A few weeks ago Lord Roberts declared in the House of Lords that the armed forces of this country were "as absolutely unfitted and unprepared for war as in 1899-1900." Mr. Arnold-Forster, the Secretary of War, traversed that opinion and described it as too sweeping. At a meeting summoned by the London Chamber of Commerce and held at the Mansion House on August 1st under the presidency of the Lord Mayor, Lord Roberts not merely reaffirmed his statement, but justified it in detail. For a war with Russia in Afghanistan, Lord Roberts asserted that not less than 500,000 British soldiers would be required, and that, under her present system, England could not, even by using up every available infantryman of the Regular Army and the whole of the Reserve, and by drawing on the Militia, the Volunteers and the Colonies, mobilize more than 330,000 men on the Indian frontier. But there is a scarcity of officers as well as of men. Lord Roberts contends that, "to bring the Militia and Volunteers up to their full complement and to mobilize the Regular Forces at home and in India," seven thousand more officers are imperatively and immediately required. Again, the medical service, which the Japanese have proved to be worth an army corps of combatants when properly organized, could not, according to Lord Roberts, suffice for 100,000 men against a civilized foe. "I feel certain," concluded Lord Roberts, "that every soldier with any experience will support me when I say that it would be the height of folly for us to enter upon a campaign with a civilized Power, depending on an Army constituted as ours is at the present time." No words are needed to enhance the importance of that declaration. "I, for one," added Lord Roberts, "consider that there is now no option but to introduce universal training and service for home defence." That is a conclusion to which more and more Englishmen are being forced, not only as a solution of the military problem, but for the influence that solution would have on the national physique and character. I should not be surprised if, shrinking from conscription and alarmed by the deficiencies of her voluntary army, England within a decade were to establish herself on the basis of universal and compulsory military training.

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August, 1905.

RUSSIA'S centre of gravity has for the moment been transported from St. Petersburg on the Neva to Portsmouth in New Hampshire, where her plenipotentiaries, M. Witté and Baron Rosen, are deliberating, in common with Baron Komura and M. Takahira, on the fate of tens of thousands of innocent men, who, before these pages see the light, will have received a lease of existence or a sentence of mutilation or death.

The Peace Conference was inaugurated under seemingly favorable auspices. The American people, speaking in the name of humanity through President Roosevelt, besought the rulers of Russia and Japan to hold their hands, and to endeavor to settle their differences at the green table instead of on the crimson field. Both monarchs responded favorably—with what feelings history fails to record, but political ingenuity enables one to conjecture. Russia had suffered a long series of reverses on sea and land. Her army had been routed and her navy destroyed. She had been driven ignominiously from neutral territory which she had wrongfully occupied and scornfully refused to evacuate. She had lost vast numbers of men, squandered large sums of sorely needed money, forfeited political prestige and lost her status among the first-class Powers of the world. And all this through the prowess of an obscure people whom she despised ineffably. One can well imagine that the summons to a peace conference under these conditions was not a very welcome call.

Nor was that all. At the very moment when President Roosevelt was making himself the spokesman of humanity, the champion of peace, fortune seemed likely to prove her fickleness by smiling upon the arms of Russia. This was no airy fancy: it had as solid a foundation as could well be wished for. The army, in whom the Tsar placed unbounded confidence, deliberately said so and gave cogent reasons for its belief. Linievitch, Mishchenko, Kuropatkin, Batianoff, in a word all the generals and many of the colonels on active service in Manchuria, pledged their word that victory lay within their reach if Oyama should again attack them, and that they themselves would assume the offensive if he hesitated. This anticipation and announcement appeared all the more trustworthy that they were accompanied by a frank avowal of former weakness. "*Pater, peccavimus!* We made many blunders in the past," they said. "We underrated the

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enemy's numbers, his bravery, his military skill. We were not well posted as to his whereabouts and his plans. And we could not but be beaten. If our losses were no greater, Russia's thanks are due to the wondrous heroism of the common soldier. But we have learned the lesson of experience. We have measured the strength of our enemy and are become familiar with his ways. Hence we watch his movements with vigilance and prepare with foresight for his attacks. Our troops have also girded their loins. Their numbers have increased very materially since the battle of Mukden, and their fighting qualities have been improving very rapidly. All our soldiers are now well seasoned, the artillery and cavalry are better than the enemy's. We shall demonstrate that superiority when Oyama next attacks us. Hearing rumors that the war would be stopped and peace concluded, we were sorely grieved. But we refuse to believe that the Imperial Commander of the Russian army would deprive his troops of the opportunity of retrieving the honor of the Imperial standard and punishing the enemies of our country. We know that our beloved Tsar would not make peace with an enemy who had insulted the Emperor and the Fatherland,—at the very moment, too, when victory is within our reach. It cannot be. We offer our lives for Your Majesty. We affirm that, within six months, we can change the relative position of the two armies and drive the enemy southwards. Let us show that the glory that of yore encircled the Russian army is not departed!"

That was the gist of the petitions, reports, telegrams and letters received by the Tsar from Manchuria. And, the army being the mainstay of his Imperial house, he could not afford to disregard them. But even ordinary, peace-loving Russians, who felt no such stimulus, were won over by the rumors of this new spirit which was said to be animating the troops. A wave of partiotism rolled over the people or a considerable section of them.

That was the moment when Muscovy was called upon to delegate representatives to the United States with powers to make peace! It was not supposed that they could obtain a treaty without paying for it, nor were there many who did not know or guess that part of this payment would consist in the cession of Saghalin and an indemnity in money. With less than that Japan would not be satisfied, popular rumor affirmed. Official Russia, which was very well aware of this, selected as envoy the ex-

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Minister of Justice Muravieff, a man known to diplomatic circles only as the person who, in a speech delivered at The Hague last year, had gone out of his way to offend Japan. That choice almost extinguished people's hopes of peace. The unexpected appointment of M. Witté revived them again.

Witté's name was itself a programme. Moderation had marked his career: he had condemned the policy which led to the war; he had done his best to hinder the outbreak of hostilities, and he had made many determined attempts to bring about peace. Most people thought that they were warranted to conclude that no better man could have been chosen to negotiate a treaty.

There were also sceptics, however, who remarked that Witté had done all these things when in opposition, and that it did not follow that his work as plenipotentiary would be the corollary of his language as fallen minister. But scepticism seldom forms the basis of a popular creed. All this, however, was mere guess-work, and beyond surmises nobody could advance. A few who knew all the available facts imparted to their conjectures a degree of probability bordering on certitude. And if not sceptics they were almost all pessimists.

At the moment of writing, the Conference is still sitting in the red brick house at the Navy-Yard, and without, beyond the precincts of the building, the hopes of peace are high. But the sceptics still refuse to cry "peace" when there are no symptoms of peace. The writer of this letter is one of the sceptics. The grounds on which he bases his opinion are briefly these. From the day on which the present Russian plenipotentiary was appointed down to the present moment, Witté has never ceased to repeat that, while willing to grant important concessions to the enemies of his country, there were two demands which, if made, he would stubbornly refuse to entertain: the cession of the island of Saghalin and the payment of a sum of money in any shape or form. Now, Witté's diplomacy, like Bismarck's, is marked by plain speaking, and nobody has any right to question, even in thought, the sincerity of this important declaration.

The Japanese, on the other hand, were known to include among the terms which constitute their irreducible minimum the surrender by Russia of all her rights over Saghalin and the payment of a sum of money to be termed "the reimbursement of the war costs." The grounds for these claims were notorious

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and peremptory. To recede from them would be not merely to wreck the present Government, but to embitter the whole people. And that was more than any Cabinet would dare to do. The feelings of the Japanese nation are but imperfectly realized abroad. We have seen and admired some heroic manifestations of their love of country. But there are others which, not having yet witnessed them, we are literally incapable of imagining. Love of country may easily become a frenzy in the psyche of the Mikado's subjects. It is a sentiment, too, which, like madness, imparts superhuman strength to the frail every-day unit. And it would permeate and electrify the masses, and rouse them against their own Government, if it made peace without obtaining a solid war indemnity and the cession of Saghalin.

In other words, Japan was forced to say: "There can be no peace unless you pay our war costs and let us keep the island we have taken." To which the Tsar was compelled to answer with an emphatic "*Non possumus.*" Both monarchs were sincere. And yet intelligent people professed still to believe in the cessation of hostilities! Baron Komura virtually said to M. Witté: "Unless you do what you say you never will do, we cannot draw up a treaty." And M. Witté audibly replied: "Unless you abandon the claims upon which you say you must insist, you and I can do no business." Can peace be said to have been probable?

Was it even desirable? Politicians who study conditions and weigh words reply, "No." So long as that warlike disposition of the Russians continued which flowed from the conviction that the army had not yet had fair play, peace would be harmful, not helpful. Unless the splinters are all removed by the operator, it is not well that a limb should heal. There are cases on record when a broken arm which is healing has to be broken again and treated anew in the interest of the patient. What the Japanese, the Russians and the civilized peoples of the world want is a peace which will endure. And what a treaty patched up at present would inevitably result in is not a lasting peace, but a miserable few years' truce. Both countries would vie with each other in feverish and extravagant preparations for a still more sanguinary campaign than the present. And the last state of the Far East would be much worse than the first.

For those reasons, it is to be regretted that the ground was not better prepared for the Peace Conference. The first and all-

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important condition of success was the establishment of a basis of discussion common to both parties. If Japanese and Russians had been able to agree at least on general principles, the rest would have been plain sailing. If Muscovy had consented to discuss the cession of Saghalin and the payment of money, or if Japan had found it possible to substitute other demands for these, there would have been a fulcrum for the peace lever. But there was none.

The result is that the negotiations which have progressed in appearance, and progressed rapidly, fail to inspire the experienced politician with hope. For the really cardinal clauses dealing with the payment of money and the transfer of territory were temporarily shelved at the very outset, and the discussion of the others is but as the pouring from an empty vessel into a vacuum. Hence the negotiations are marked by an air of unreality which renders outsiders mistrustful. In appearance, Russia is far too generous, Japan much too moderate. It is as though the former were urging the latter to take rope enough—to hang herself. Such, at least, is the impression conveyed by such scraps of authentic information as reach the outer world day by day. Russia's idea—say the Japanese—"would appear to be to get our plenipotentiaries to formulate their demands in language calculated to compromise us in the eyes of the white races, and, that once done, to refuse to negotiate."

It was hardly worth getting the envoys together from the uttermost ends of the earth for that purpose.

It is unwise to prophesy to people who, before they read the prediction, will have witnessed the events which confirm or belie it. Still, it is fair to say that, judging by everything that has taken place since the Tsar and the Mikado agreed to appoint envoys, as well as by the whole course of the negotiations between those envoys so far as one can string them together by means of fragmentary but trustworthy accounts, peace between Russia and Japan appears to be impossible this summer.

The envoys began by exchanging views on the whole subject, so as to obtain a complete and rounded scheme of what they could expect and what would be beyond the bounds of reasonable anticipation. That first encounter made it clear that an understanding was in the highest degree improbable. They then proceeded to analyze the proposals in detail, whereby their pessi-

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mistic forecasts were but strengthened. Korea was the first question touched upon, then two clauses dealing with Manchuria, and then the fate of Saghalin was discussed.

Judging by what the Russian envoys say—and as yet one has no better and no other criterion—they are desirous of making peace. But they cannot, they add, barter away the interests of their people. They will stretch a point, many points, every point except *le point d'honneur,* to satisfy Japan. But, naturally enough, they are anxious to avoid the odium that may attach either to the failure of the Conference or to the exorbitant nature of the stipulations. Hence they scrutinize every sentence of every clause; and, whenever the interpretation seems manifold, they call for a change in the wording, and demand either that each possible construction be clearly expressed in so many separate sentences, or else that terms be selected which convey only one. In other words, Japan is being compelled to define clearly her present intentions and future policy in the Far East, and she is well aware that these definitions will be entered to her debit or credit account in the ethical ledger of the civilized world. Hence the bouts of keen sparring and skilful fencing that daily go on between the two peace missions. That, and not a peace treaty, is likely to be the outcome of the present conference.

There was a moment, a very brief moment, when, even in Russia, hopes were entertained of bringing the campaign to a speedy close. But the ways and means were so unusual, so daring, so grandiose that only a Bismarck dealing with a Cavour could have ventured to employ them. Witté suggested that, not peace only, but a defensive and offensive alliance should be embodied in the treaty for which all men were wistfully longing. "Then there shall be no haggling about terms," he added. "For what is odious and impossible to an enemy is pleasant and easy to a friend. If you see your way to change enmity into friendship, I answer for it that we shall return to our respective capitals satisfied with the work achieved, and the world will breathe freely for generations." This belated proposal, made by Russia, was declined by Japan on the intelligible ground that there is no government in Muscovy to-day, and that, whatever price might be set upon Russia's friendship by the Tokio Government, it could not be accepted at present as an equivalent for any of the terms on which alone they were prepared to conclude peace.

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ROME, *August, 1905.*

"*Instaurare omnia in Christo*" is the programme which Pius X announced immediately after his election in his first allocution, and this conception has inspired all his work, actions and the choice of his aims during the two years of his Pontificate, just completed. Whenever he has written or spoken to the Faithful he has plainly explained that this programme must not be understood to be applied only in the religious field, but in all manifestations of life, in the social as well as in the economic, in the intellectual as well as in political struggles. Of course, what attracts most attention and arouses intensest interest, both at home and abroad, is the effect which the development of such a programme produces in the relations of the Pope with the House of Savoy, and in those of the Holy See with the Italian Kingdom. Pius X has not ceased to demand the restitution of Temporal Power, and no one would have expected him not to do so, as no other institution is as tenacious as the Church of Rome in maintaining what she calls her rights. For example, even to-day after so many centuries she continues to claim the possession of Avignon. However, since Giuseppe Sarto was raised to the Chair of St. Peter his protests against the spoliation of the Church have lost the vehemence, bitterness and even hatred which characterized them under Pius IX, and especially under Leo XIII, the present Pope giving them the character of a necessity, as, to repeat his own words, "the Sovereign Pontiff in the government of the Church should not only be free, but seem to be free, and under the influence of no power whatsoever." The strongest of the protests of this kind issued by Pius X was when President Loubet came to Rome, he being (not taking into consideration Prince Ferdinand of Bulgaria) the first Catholic ruler who, since 1870, has disobeyed the wish of the Holy See, and has come to the Eternal City as a guest of the Quirinal.

It cannot, however, yet be said how much the strained relations between France and the Vatican, rather than those between Church and State in Italy, have contributed to add strength to the papal protests. In all other circumstances which have come to the notice of the public, the present Pope has shown the greatest deference to the reigning House, this being reciprocated by the members of the royal family, especially by the Princess Clotilde, sister of the late King Humbert, and by Queen Mar-

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gherita, his widow, who correspond with the Pontiff. The most significant manifestation of the change which has taken place was given by the visit which the Duke and Duchess of Genoa paid to the Pope on the evening of January 9th of this year, this being the first direct intercourse between a Pope and the reigning House after the fall of the Temporal Power. The manifestations on the other side are not less eloquent. To cite only the most important, it will be sufficient to remember that, when King Victor Emanuel II went to Bologna, in the spring of 1904, Cardinal Svampa, the Archbishop there, on instructions received from Rome, greeted the grandson of the "usurper" and accepted his hospitality, although the Cardinal represents the chief diocese of the ex-Pontifical States, after Rome. Also when the young Italian Sovereign, last February, took up the initiative of Mr. David Lubin of California and convoked an International Agricultural Congress in Rome, the "*Osservatore Romano,*" official organ of the Vatican, by the direct orders of Pius X, praised and exalted the enterprise of the King in the warmest terms.

This would have been impossible under Leo XIII, whose policy consisted in opposing all international action on the part of Italy, and especially international gatherings in Rome, even the most insignificant, as, for instance, the Penitentiary Congress of 1885, it having been considered that these assemblies had the effect of confirming the *status quo* and strengthening the position of the Eternal City as the Capital of the Kingdom. It is still remembered that, when, in 1894, the International Medical Congress met in Rome, Leo XIII refused to receive those members of it who had asked for an audience, merely because they had adhered to a Congress called forth by Italy in the centre of Catholicism. Pius X, on the contrary, received most cordially all the members of the International Agricultural Congress, both Catholic and non-Catholic, who asked for the honor. And, finally, an evidence of benevolence has occurred just in these days. The Duke of Aosta having been transferred from Turin to Naples, to command the army corps there, one of the first visits he received was that of Cardinal Prisco, Archbishop of the province, who presented his homage and his professions of loyalty, while, up to a few years ago, the religious head of the largest town of Italy was still considered as a supporter of the Bourbon Pretender.

Not less important is the change which has taken place in the

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relations between Church and State. Pius X, faithful to his programme of "*Instaurare omnia in Christo,*" for the good of the Church and the triumph of religion, at once understood that the state of latent war with the constituted authorities must cease, as it went only to the advantage of the subversive elements, which, if they are the enemies of the present monarchical institutions, are not less enemies of the Papacy. He, therefore, began on a larger scale, for the whole of Italy, what he had already accomplished for the Venetian Provinces in the ten years he was Patriarch of Venice, where he was on the best of terms with the Government officials, and had succeeded in strongly allying the Catholics with all the Conservative and Moderate parties, so as to entirely defeat the advanced and anti-Clerical sections. In Italy a concordat between Church and State does not exist; but, as the fund for worship is administered by the State, the Bishops appointed by the Holy See cannot fully exercise their functions and receive their stipend unless they are accorded the *exequatur* from the Government. Under Pius IX and Leo XIII, there were classic struggles over Bishops appointed by the Vatican and not recognized by the Government on account of their ultra *intransigeance,* the only result being that dioceses, sometimes very important ones, remained for years in a kind of ecclesiastic anarchy, the chief damage being to the prestige and influence of the Church. In the two years of the present Pontificate, not a single case of this kind has had to be deplored, as Pius X will not proceed to the nomination of a Bishop without having first informally received the assurance from the Italian Government that the nominee will be *persona grata* and receive his *exequatur* the moment he is appointed. This tacit but practical understanding between the two powers showed itself even more evidently in the general elections of September, 1904, when, in several constituencies, the candidates to be supported both by the Government and the clergy were discussed and agreed upon between the Vatican and the Ministers of the King, the result being the greatest defeat ever inflicted on the subversive parties. The strangest circumstance is that this should have taken place while there was in power a Liberal Cabinet, like that of Signor Giolitti, and that it should go on under the present one, whose Premier, Signor Fortis, is just as Liberal, and was originally a fiery republican who conspired against the present Monarchy,

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and was arrested and handcuffed by the carabineers of the present King's grandfather. Only fifteen years ago, what takes place now would have been absolutely impossible, as all Liberal Governments would have rejected any advance for an understanding with the Catholics, considering that it was a necessity of their principles to be strongly anti-Clerical, while the mere suspicion that a Conservative Cabinet had anything to do with the followers of the Vatican would have been enough to overthrow it. The change is caused by the fact that the Holy See was then constantly working against the interests of Italy, being ready to give support to any enemy of the young Kingdom, both abroad and at home, should it be Republic or Empire, followers of deposed rulers or subversive parties, all of which was conducted with the strongest organization that has ever existed, employing diplomats and the press, the pulpit and all active propaganda, enjoying at the same time such liberty and protection as could scarcely be found even in countries where Church and State are in cordial relations.

This situation was very unpleasant, especially for those religiously inclined, who could not be at the same time good Catholics and good patriots.

One of the devices adopted by the Church against the State was that of prohibiting Catholics, through the famous "*non-expedit,*" from participating in political life, thus representing in their eyes a public, solemn and continuous protest against the loss of the Temporal Power, so much so that on election day most of the Clericals used to send their electoral slips to the Pope as a sign of their loyalty. With the passing of the years the Catholics, however, saw the necessity of changing their attitude, which deprived them of all power and influence, to the entire moral, economic and social advantage of their enemies. They gradually abandoned their passive and anti-patriotic tactics, and succeeded in having their participation in public life sought for both by the Conservatives, as a new element of order in their favor, and by the Extremists, who wished, as they said, to challenge all the forces of reaction put together. But there was still a difficulty.

Although the Clericals had to some extent participated in the last general elections, not only supporting the parties of order, but actually electing three of their own candidates, the

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Pope had not yet officially removed the "*non-expedit.*" For this, the last encyclical issued by Pius X has provided. It is a very diffuse and important document, having all through, as a refrain, the Pope's programme, "*Instaurare omnia in Christo,*" and pointing out what a help it will be for the realization of this if all ranks of Catholics will "unite their living strength to fight, with all right and legal means, anti-Christian civilization, repairing the very grave disorders derived from it; bringing back Jesus Christ to the family, to the schools, and to society; reestablishing the principle of human authority as representing that of God; taking greatly to heart the interests of the people, and especially of the working and agricultural classes; not only instilling in the hearts of all religious principles, the only true font of consolation for the sorrows of life, but studying to dry their tears, relieve their pain, ameliorate their economic condition with appropriate measures; working to have laws based on justice, correcting and suppressing those which are opposed to it; finally defending and supporting, in the truly Catholic spirit, the rights of God in everything, and those, not less sacred, of the Church." After having recalled how the Church, in the long course of history, has always and in every case shown a marvellous capacity of adapting herself to the varied conditions of life, the encyclical urges Catholics to organize themselves well, in order to be able to exercise profitably all their rights, including that of directly participating in the politics of the country. Addressing himself to the Bishops of Italy, he says: "Very grave reasons prevent us, Venerable Brethren, from deviating from the rule already decreed by our predecessor of sacred memory, Pius IX, and followed by that other our predecessor, of sacred memory, Leo XIII, during their Pontificates, according to which the participation of Catholics in legislative power is generally forbidden in Italy. However, other reasons equally grave, inspired by the supreme good of society, which must at any cost be saved, may require that in particular cases a dispensation should be obtained from this rule, especially when you, Venerable Brethren, ask for it, recognizing the strict necessity for the good of souls and the supreme interests of your churches."

Although it is given in a cloudy indeterminate way, as is the custom of the Vatican, which wishes to have a door open for retreat if necessary, the encyclical practically puts an end to the

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"*non-expedit*," represents the most important document of the kind issued since 1870, and marks an historic date in the relations between the Papacy and the Kingdom, opening at the same time the vastest field to Catholic action in Italy. The votes of the Catholics, and the presence of their representatives in the Chamber, may have a most salutary effect on Parliamentary institutions in the peninsula, especially in promoting the resurrection of the two great historic parties, Right and Left, Conservative and Liberal, which had divided Parliament until 1870, both aspiring to be the Makers of Italy, but differing in methods.

All points to the conclusion that the abolition of the "*non-expedit*" will not be the last important change which will take place under the present Pontificate. Indeed, the rumor continues persistently that Pius X wishes to leave the Vatican, and thus put an end to the legend of his being a prisoner; but he is waiting to do so for an occasion which will be suitable, especially in the eyes of foreign Catholics, upon whom the Holy See is so dependent with regard to financial means. For this same reason, the question of the Pontiff's accepting the yearly allowance of 645,000 dollars granted to him by the Law of Guarantees, of May 13, 1871, while it is most significant that it has arisen now, has not been decided in the affirmative, it being feared that it might produce a decrease in the Peter's pence greater than the advantages of accepting it. The sum granted by the Law to the Pope is equal to that of the budget of the Pontifical State when Rome was taken, for the keeping of the Pontiff and for the various ecclesiastical needs of the Holy See, as well as the maintenance and custody of the Apostolic Palaces and dependencies. Neither Pius IX nor Leo XIII ever touched this money, and what is now being discussed is whether, in case Pius X accepts it, he is entitled to receive also the arrears and the accrued interest, which would represent a capital of over 25,000,000 dollars, and this, invested in Italy, would bring in about a million dollars a year. There is, however, great hesitation, as once it were known that the Pontiff nad come into possession of so large a sum the Peter's pence will certainly fall off enormously. The poor man who now gives his five cents with difficulty will then argue that the Pope, having about twenty times as much as the President of the United States, will not miss his mite, and he will keep it in his own pocket.

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WASHINGTON, *August, 1905.*

THE principal topics discussed in the Federal capital during the last thirty days have been the progress of the peace conference at Portsmouth, which Mr. Roosevelt's friends naturally hope to see result in a Treaty of Washington, and the President's announcement at Chautauqua, on August 11th, of two cardinal features of the policy of his Administration, the one relating to internal affairs, and the other to international relations. If the outcome of the negotiations between Russia's plenipotentiaries and those of Japan should be the assurance of immediate and permanent tranquillity in the Far East, our Chief Magistrate would be credited with having rendered a great service to mankind, and his personal prestige would be signally enhanced in the eyes of all foreign peoples. He would have demonstrated in memorable fashion that "peace hath her victories no less renowned than war." What some persons overlook, however, is the fact that, even should the conference prove abortive, the procurement of the assent of the belligerents to a meeting was of itself a remarkable achievement. Pride and dignity would not permit the St. Petersburg Government to address itself directly to Tokio with a view to putting an end to hostilities, and the Mikado's advisers were convinced that the time had not yet come for them generously to intimate that a conciliatory overture on the part of their opponent would be welcome. They were thoroughly aware that, although the Russian navy had been practically annihilated, and although Port Arthur and the island of Saghalin had been surrendered, Russia still occupied a large part of Manchuria, and had at her disposal in that region an army believed to comprise some four hundred thousand soldiers. Under the circumstances, the Mikado's advisers could hardly bring themselves to believe that the St. Petersburg Government could as yet be in the mood to accept conditions of peace which Japan deems indispensable, if she is to safeguard herself from the necessity of renewing the war one or two decades hence. On the other hand, they were keenly alive to the financial burdens which might have to be imposed upon their country, should the present contest be prolonged for an indefinite period, or even for another year. It is true that Japan could probably obtain some additional loans in London and New York; but, in view of the fact that she has been already obliged to pledge specifically some

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of her principal sources of income, she cannot desire to mortgage her revenues any further. On the whole, the Japanese probably would have preferred to defer negotiations for a short time, until Marshal Oyama could have inflicted another and more decisive defeat upon the Russian forces in Manchuria, but for their unwillingness to seem discourteous or ungrateful to the executive head of the American people, from whose approval and sympathy they have derived much moral support during the last eighteen months. So it came to pass that the Tokio Government, without illusions, but not without misgivings, made up its mind to accept President Roosevelt's invitation, and promptly despatched its plenipotentiaries to Washington, in order that an experiment, from which it expected little or nothing, might be made with all possible celerity. We say, "not without misgivings," because, although Mr. Roosevelt, in his capacity of impartial friend of both parties, could not ask for an armistice, which, in the nature of things, would inure to the advantage of Russia, it was foreseen that he would wish for one, and that Japan would feel constrained by comity to consider his wishes to at least the extent of imposing on Marshal Oyama a virtual and temporary suspension of hostilities. It is true that the rainy season would not have been conducive to extensive military operations in Manchuria, much less to a battle on a colossal scale; but there might have been much more manœuvring for position on the part of the Japanese than has actually been the case. In a word, the Tokio Government, in a generous and chivalrous spirit, has done its utmost to further Mr. Roosevelt's desire to appear as a *deus ex machinâ*, interposing between warring Powers to lead them into paths of peace.

It was not to be expected, however, that Japan would propose at Portsmouth terms materially less exacting, in vital particulars, than those which she deems essential to the permanence of peace. These terms would obviously include a recognition of Japan's preponderance in Korea; acquiescence in her retention of the conquered Port Arthur, and a renouncement by Russia of all that part of Manchuria which is not at present occupied by Linievitch's army, the latter requirement, of course, including a surrender of the Chinese Eastern Railway south of Harbin, which, although nominally the property of a private corporation, has really been built and operated by the Russian Govern-

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ment. To these three demands, which were imperative, Russia's representatives at Portsmouth are understood to have offered no strenuous opposition. Whether Russia should agree to limit her naval force in the Pacific, or to dismantle Vladivostok, or to surrender her war-ships interned in neutral ports, are plainly questions the answers to which could not be vital for Japan, because under no conceivable circumstances would Russia be able to cope with the Island Empire in Far-Eastern waters for a great many years to come. Whether Japan should keep or give back Saghalin is also a question which it is difficult to regard as particularly serious. Neither party has shown in the past that it attached much value to the island. Russia has used it, since it came into her possession, exclusively as a penal settlement. Japan once owned the whole of it; then agreed to content herself with half of it; and, finally, in 1875, exchanged the southern moiety, under more or less pressure, for the Kurile archipelago. Under the circumstances, it is hard to see how Saghalin can have more than a sentimental value for the Japanese, provided some acceptable agreement with regard to fishing rights can be reached. There has been some talk in Tokio about the island's strategic importance, but the Russians, who occupied it at the outset of the present contest, seem not to have found it especially valuable from that point of view. We cannot bring ourselves to believe that the envoys of the Mikado and the Tsar would have come so many thousands of miles to meet at Portsmouth, and then break off their conference owing to their inability to agree about the island of Saghalin. At the hour when we write it seems far more probable that, if the negotiations come to naught, it will be because the Tokio Government insists on an indemnity, while Russia with equal firmness declines to pay one, or at least one acceptable in respect of size, to the Japanese. Whether, in view of all the circumstances, the demand for an indemnity is not justified is a question which may be discussed more conveniently next month, when we know definitely what reception it will have encountered.

It is evident from a telegram sent to Secretary Taft that the President has given up his previously announced intention of convoking the Fifty-ninth Congress in extra session in November. Nobody in Washington infers that he means to renounce his purpose to secure legislation enabling the Interstate Com-

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merce Commission to exercise more thorough control of railways, by empowering it to make provisional rates in certain contingencies, pending an investigation of alleged grievances. Such an inference would be impossible, in view of the declaration made by Mr. Roosevelt at Chautauqua. The President there pointed out that much of the legislation hitherto aimed at the prevention of the evils connected with the enormous development of great corporations doing an interstate business had been ineffective, partly because it aimed at doing too much, and partly because it did not confer upon the Federal Government a really efficient method of holding any guilty corporation to account. The effort to prevent *all* restraint of competition, whether harmful or beneficial, he pronounced ill-judged; what is needed, he thought, is, not so much an attempt to avert future combination, as a vigilant and effective control of combinations already formed, so as to secure just and equitable dealing on their part toward the public generally, toward their smaller competitors and toward the wage-workers in their employ. Mr. Roosevelt was willing to concede that, under the existing statutes, much of substantial value had been accomplished during the last four years; but he added that the difficulties encountered had been so great as to prove in his opinion that further legislation is advisable. He recognized that many corporations have shown themselves honorably desirous of obeying the law, but he accused some corporations, and very wealthy ones at that, of exhausting every effort which can be suggested by the highest ability, or procured by the most lavish expenditure of money, to defeat the purposes of the laws on the statute-book. He firmly believed, he said, that this indictment was applicable to only a relatively small proportion of the very rich men engaged in handling the very largest corporations in the country; but he went on to express the conviction that the attitude of these comparatively few men does undoubtedly harm the country, and, above all, harm men of large means by the just, though sometimes misdirected, popular indignation to which it gives rise. Attention was directed to the fact that, hitherto, the Federal Government had very properly exercised moderation in attempting to enforce the criminal provisions of the statute levelled against monopoly and oppression; but he has arrived at the conclusion, he said, that, in some cases, such as that of the beef-packers recently indicted in Chicago, it is

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impossible longer to show leniency. Experience has also taught him, he declared, that, if the existing law proves in practice inadequate, so that, under established rules of evidence, clear violations may not be readily proved, defiance of the law must lead inevitably to further legislation. Moreover, this legislation, he apprehended, might be more drastic than he would personally prefer, because of the stubborn determination evinced by some of the great combinations in striving to prevent the enforcement of the law as it stands, by every device, legal or illegal. He warned the representatives of certain powerful corporations that either they will have to submit to reasonable supervision and regulation by the national authorities, or else they will ultimately be subjected to governmental action of a far more unpleasant type. His final admonitory word was that we must not try to go too far with remedial legislation, lest too late we discover that we are going in the wrong direction. In any event, we ought to proceed by evolution, not by revolution. The laws must be conceived and executed, not in a spirit of resentment, but in a spirit of sanity and justice, and with exactly as much regard for the rights of the big man as for the rights of the little man—treating big man and little man exactly alike. One can easily understand why a speech in which the Chief Magistrate stood forth, not as a tribune of the proletariat, but as a champion of even-handed justice, was delivered, not at Wilkesbarre, where thousands of United Mine-Workers had assembled, but at Chautauqua, where all classes of the community were represented.

What Mr. Roosevelt said in the same speech about his interpretation of the Monroe Doctrine was cabled at length to foreign countries, for it was fraught with profound interest to all peoples and governments that now have, or would like to have, a stake in the New World. He began by allaying the suspicion evinced of late in some South-American commonwealths that the Monroe Doctrine might be construed by the present Administration in a way inimical to their interests. Let it be understood once for all, said the President, that no just and orderly government on this continent has anything to fear from us. He solemnly declared that under no circumstances would the United States use the Monroe Doctrine as a cloak for territorial aggression. He was at pains to reassure even Venezuela, by averring that, should any of our neighbors, from chronic turbulence or deliberate dis-

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regard of our rights, get finally into such a position that the utmost limits of our forbearance are reached, even then—so the people south of us are told by Mr. Roosevelt—no action will ever be taken, save what is absolutely demanded by our self-respect. Never, moreover, will this action take the form of territorial aggrandizement on our part, and it will only be taken at all with the most extreme reluctance, and after every means of averting it has been exhausted.

The President proceeded to designate certain things that our Federal Government will not do. For example, if a Latin-American Republic commits a tort against a foreign nation, the Monroe Doctrine will not force us to interfere to prevent punishment of the injury, save to see that the punishment does not, directly or indirectly, assume the form of territorial occupation of the offending country. Neither, in the case of obligations arising out of contract, would our country be willing to go to war to prevent a foreign government from collecting a debt justly due from a sister Republic. What alternative course would be practicable? The alternative course recommended by Mr. Roosevelt is that our own Government should interpose between the creditor and debtor, and undertake to bring about some arrangement by which so much as is possible of the just obligations shall be paid. The President avowed that, personally, he should always prefer to see this country step in and effect such an arrangement, rather than let any foreign country carry it out by force of arms. He does not want, he says, to see any foreign Power take possession, permanently or temporarily, of the custom-houses of an American Republic, in order to enforce its obligations; but, for his own part, he recognizes that at any time the alternative may be that we shall be forced to do so ourselves. This, of course, is what is being done at this moment in Santo Domingo, and it remains to be seen whether the United States Senate will sanction it, and thus definitely adopt the Roosevelt Corollary to the Monroe Doctrine.

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